RE: Aspire School Oakland - Landscaped areas
Goloubow, Ron
to:
Carmen Santos
06/07/2011 12:42 PM
Cc:
"michael@pacificcharter.org"
Hide Details
From: "Goloubow, Ron" <Ron.Goloubow@arcadis-us.com>

To: Carmen Santos/R9/USEPA/US@EPA

Cc: "michael@pacificcharter.org" <michael@pacificcharter.org>

Carmen PLEASE RESPOND!

We need to know what is happening with respect to the status of the EPA review/approval of the hard caped areas and if the scenario presented below would work for the proposed landscaped areas.

Thanks Ron.

Ron Goloubow, PG | Principal Geologist | **ron.goloubow@arcadis-us.com**

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From: Goloubow, Ron
Sent: Friday, June 03, 2011 5:55 PM
To: 'Santos.Carmen@epamail.epa.gov'
Cc: 'michael@pacificcharter.org'
Subject: RE: Aspire School Oakland - Landscaped areas

Carmen can you give us an update on the status of the EPA review/approval of the hard caped areas and if the scenario presented below would work for the proposed landscaped areas?

Ron.

Ron Goloubow, PG | Principal Geologist | **ron.goloubow@arcadis-us.com**

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From: Goloubow, Ron
Sent: Friday, June 03, 2011 7:25 AM
To: 'Santos.Carmen@epamail.epa.gov'
Cc: 'michael@pacificcharter.org'
Subject: Aspire School Oakland - Landscaped areas

Carmen after some discussions with representatives of Aspire & Pacific Charter School Development we would like to retain the landscaped areas and would like for EPA to consider the following design for the landscaped areas:

Place a geotextile fabric on the cement treated soil (the base of the landscaped areas).
Place approximately 22-inches of imported top soil on top of the geotextile fabric (no reuse of "native" soil)

Imported soil would be tested for PCBs (arclors) at the rate of one four point composite sample for every 2,000 cubic yards of soil to be imported.

Please let me know if this design would be acceptable.

Ron Goloubow, PG | Principal Geologist | **ron.goloubow@arcadis-us.com**

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Aspire Oakland - Soil Management Plan
Goloubow, Ron
to:
Carmen Santos
06/15/2011 10:00 AM
Hide Details
From: "Goloubow, Ron" <Ron.Goloubow@arcadis-us.co

To: Carmen Santos/R9/USEPA/US@EPA

michael@pacificharter.org

mike.barr@aspirepublicschools.org

Carmen the following text was taken directly from the soil management plan for the subject site:

Requirements for Imported Fill

Soil that is imported to the Site for use as fill must be sampled prior to being brought on site. A four-point composite sample should be collected for every 500 cubic yards of fill material imported to the Site and submitted for the following analyses:

- Volatile organic compounds (VOCs) by EPA Method 8260B
- Metals by EPA Method 6010B
- Semivolatile organic compounds (SVOCs) by EPA Method 8270
- PCBs by EPA Method 8082
- Organochlorine pesticides by EPA Method 8081
- TPH by EPA Method 8015M

The analytical results for each of the constituents should be less than the final Environmental Screening Levels (ESLs) for shallow soil (less than 1 meter bgs) for commercial and industrial properties where the groundwater is not a potential source of drinking water (Table B-2, RWQCB 2008), with the exception of Arsenic. Arsenic concentrations should be less that the site-specific background concentration of 7 mg/kg (see discussion presented in Appendix B of the CAP).

Ron Goloubow, PG | Principal Geologist | **ron.goloubow@arcadis-us.com**

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Aspire Oakland - pavement thicknesses
Goloubow, Ron
to:
Carmen Santos
01/21/2011 09:00 AM
Cc:
Michael Rueda, Ramiro Viramontes, Brad Kettelle, "mjewell@k2architects.com"
Hide Details
From: "Goloubow, Ron" <Ron.Goloubow@arcadis-us.com>

To: Carmen Santos/R9/USEPA/US@EPA

Cc: Michael Rueda <michael@pacificcharter.org>, Ramiro Viramontes <ramiro@pacificcharter.org>, Brad Kettelle <brad.kettelle@blackwellconstruction.com>, "mjewell@k2architects.com" <mjewell@k2architects.com>

History: This message has been replied to.

1 Attachment

1-C3.0.pdf

Carmen can you let me know if EPA could approve the following thicknesses of the asphalt and concrete that would serve as the cap at the Site? Initially a 6-inch thick interval of asphalt or Portland cement concrete (PCC) on top of various intervals of imported aggregate base rock was proposed for this project. I have been told that changing the thicknesses of the asphalt and PCC to the intervals indicated below will result in a cost savings of approximately $100,000 allowing Aspire to use that money on items that will serve the students such as classroom lighting, desks, and the like. It is my understanding that the proposed intervals will provide the required isolation of the three SMALL areas where PCB – affected soil remains in place above the site clean-up goal of 0.130 mg/kg.

The attached site plan illustrates the areas of the site that are to be paved. Please note that the attached map still references the original thicknesses, not the proposed intervals provided below. The attached map is intended to illustrate the areas various areas of the site that are referenced below.

1. Light-duty pavement (light automobile traffic, parking and play areas) = 2.5 inch thick interval of asphalt concrete on top of 8-inch thick interval of imported aggregate base rock (total cap thickness of 10.5 inches).

2. Medium-duty pavement driveways for bus and light-truck loading = 3 inch thick interval of asphalt concrete on top of 10-inch thick interval of imported aggregate base rock (total cap thickness of 13 inches).

3. Concrete walkways, 4-inch thick interval of PCC on top of a 4-inch thick interval of imported aggregate base rock (total cap thickness of 8 inches).

4. Rat Slabs (the crawl space beneath buildings 100, 200, and the four other class room buildings) 2 inch thick interval of asphalt concrete on top of cement treated native soil.

We are making progress on this construction project and would like to know if this revision is acceptable to EPA as soon as possible. Please contact me if you have any questions or need any more information.

Thanks in advance.

Ron.

Ron Goloubow, PG | Principal Geologist | **ron.goloubow@arcadis-us.com**

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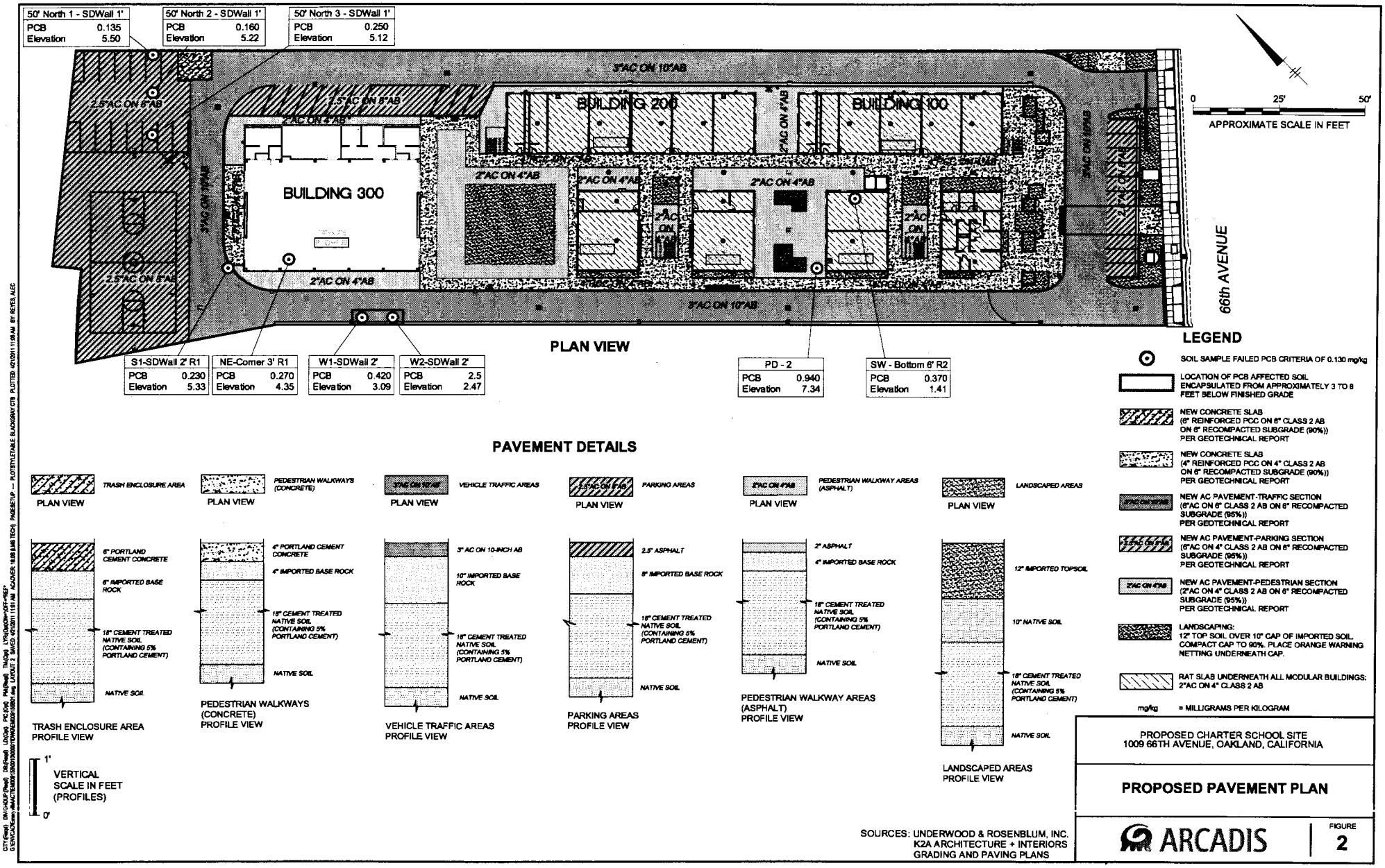

PLAN VIEW

LEGEND

- SOIL SAMPLE FAILED PCB CRITERIA OF 0.130 mg/kg
- LOCATION OF PCB AFFECTED SOIL ENCAPSULATED FROM APPROXIMATELY 3 TO 8 FEET BELOW FINISHED GRADE
- NEW CONCRETE SLAB (6" REINFORCED PCC ON 6" CLASS 2 AB ON 6" RECOMPACTED SUBGRADE (90%)) PER GEOTECHNICAL REPORT
- NEW CONCRETE SLAB (4" REINFORCED PCC ON 4" CLASS 2 AB ON 6" RECOMPACTED SUBGRADE (90%)) PER GEOTECHNICAL REPORT
- NEW AC PAVEMENT-TRAFFIC SECTION (6"AC ON 6" CLASS 2 AB ON 6" RECOMPACTED SUBGRADE (95%)) PER GEOTECHNICAL REPORT
- NEW AC PAVEMENT-PARKING SECTION (5"AC ON 4" CLASS 2 AB ON 6" RECOMPACTED SUBGRADE (95%)) PER GEOTECHNICAL REPORT
- NEW AC PAVEMENT-PEDESTRIAN SECTION (2"AC ON 4" CLASS 2 AB ON 6" RECOMPACTED SUBGRADE (95%)) PER GEOTECHNICAL REPORT
- LANDSCAPING: 12" TOP SOIL OVER 10" CAP OF IMPORTED SOIL. COMPACT CAP TO 90%. PLACE ORANGE WARNING NETTING UNDERNEATH CAP.
- RAT SLAB UNDERNEATH ALL MODULAR BUILDINGS: 2"AC ON 4" CLASS 2 AB

mg/kg = MILLIGRAMS PER KILOGRAM

PAVEMENT DETAILS

TRASH ENCLOSURE AREA — PLAN VIEW

PEDESTRIAN WALKWAYS (CONCRETE) — PLAN VIEW

VEHICLE TRAFFIC AREAS — PLAN VIEW

PARKING AREAS — PLAN VIEW

PEDESTRIAN WALKWAY AREAS (ASPHALT) — PLAN VIEW

LANDSCAPED AREAS — PLAN VIEW

SOURCES: UNDERWOOD & ROSENBLUM, INC.
K2A ARCHITECTURE + INTERIORS
GRADING AND PAVING PLANS

PROPOSED CHARTER SCHOOL SITE
1009 66TH AVENUE, OAKLAND, CALIFORNIA

PROPOSED PAVEMENT PLAN

ARCADIS

FIGURE 2

RE: Aspire - Landscaped Areas
Goloubow, Ron
to:
Carmen Santos
05/26/2011 02:12 PM
Cc:
Patrick Wilson
Hide Details
From: "Goloubow, Ron" <Ron.Goloubow@arcadis-us.com>

To: Carmen Santos/R9/USEPA/US@EPA

Cc: Patrick Wilson/R9/USEPA/US@EPA

History: This message has been forwarded.

I will send over a meeting request & call in number to you & Patrick for tomorrow at 11:00. In the interim please see some responses to EPA's concern imbedded in the email below.

Thanks in advance, Ron.

Ron Goloubow, PG | Principal Geologist | **ron.goloubow@arcadis-us.com**

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From: Santos.Carmen@epamail.epa.gov [mailto:Santos.Carmen@epamail.epa.gov]
Sent: Thursday, May 26, 2011 1:55 PM
To: Goloubow, Ron
Cc: Wilson.Patrick@epamail.epa.gov
Subject: RE: Aspire - Landscaped Areas

Hello Ron:

Can we talk tomorrow May 27 at 11:00 AM. Please confirm or proposed a different time. I have conference calls in the morning and from 2 PM through 5:00 PM.

As you know from the beginning of the Aspire PCB cleanup project we expressed concerns with whether

landscaped areas would be part of the school's design. We expressed those concerns in correspondence and meetings in which Aspire representatives participated. Aspire's earlier designs did not include any landscape areas and the thickness of the cap had been agreed to. The latest design for the school includes several landscaped areas and modifications to the cap. Apparently, cost issues have influenced the latest changes to the cap (i.e., slab for the school buildings) and addition of landscaped areas.

Here are some of the issues I want to explore with you on May 27 regarding several landscape areas included in the school's design:

- Imported fill. What documentation does Aspire has demonstrating that imported fill does not contain PCBs and other contaminants above the cleanup levels for the site. Imported fill is identified as the 12-inch layer that will be placed atop

This material has NOT yet been imported and I do not believe that the source of the soil has been determined yet (likely a local nursery or quarry). Currently, there is no plan to test the imported soil however once the supplier is determined we can ascertain if they have data documenting the soil quality of "their" soil.

- 10-inch "native" soil layer to be added atop the 18-inch cement treated native soil. I understand that "trench" soil that has originated from the Aspire site will be used for this purpose. Has this soil been tested for PCBs and the non-PCB contaminants remediated at the site?

This "native" soil has not yet been tested it is currently in a stockpile. Alternatively, we could offer to increase the thickness of the imported soil and eliminate the need to re-use any of the "native" soil if that would help lower the level of concern.

- Limited testing for dioxin-like PCB congeners. Depending on the PCB Aroclor concentration in the "trench" soil limited testing for PCB congeners may be requested.

I think this is possible but I would like to know the frequency of the testing that could be required so that I could assign a cost to that testing program.
Thank you for your courtesies and patience and I look forward to your reply.

Sincerely,

Carmen D. Santos
PCB Coordinator
RCRA Corrective Action Office (WST-5)
Waste Management Division
USEPA Region 9

415.972.3360

santos.carmen@epa.gov

"Failure is simply the opportunity to begin again,

***this time more intelligently."* Henry Ford**

****

From:	"Goloubow, Ron" <Ron.Goloubow@arcadis-us.com>
To:	Carmen Santos/R9/USEPA/US@EPA
Date:	05/26/2011 10:38 AM
Subject:	RE: Aspire - Landscaped Areas

Carmen it was unfortunate that we could not discuss the pavement thicknesses and the landscaped areas yesterday. As indicated in the voice mail messages I have left on your office phone the site construction work will soon be contingent upon the decisions we make regarding the pavement thicknesses and the landscaped areas. With that in mind can we please set up a time as soon as possible to discuss this project. I have a call at 1100 AM today but would free up may afternoon schedule to discuss the project so we can resolve the issues related to the pavement thicknesses and landscaped areas.

Ron Goloubow, PG | Principal Geologist | **ron.goloubow@arcadis-us.com**
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-----Original Appointment-----
From: Goloubow, Ron
Sent: Monday, May 23, 2011 5:05 PM
To: 'Santos.Carmen@epamail.epa.gov'
Subject: Aspire - Landscaped Areas
When: Wednesday, May 25, 2011 10:00 AM-11:00 AM (UTC-08:00) Pacific Time (US & Canada).
Where: Ron to Call Carmen

RE: Aspire School Oakland - Landscaped areas
Goloubow, Ron
to:
Carmen Santos
06/03/2011 05:55 PM
Cc:
"michael@pacificcharter.org"
Hide Details
From: "Goloubow, Ron" <Ron.Goloubow@arcadis-us.com>

To: Carmen Santos/R9/USEPA/US@EPA

Cc: "michael@pacificcharter.org" <michael@pacificcharter.org>

Carmen can you give us an update on the status of the EPA review/approval of the hard caped areas and if the scenario presented below would work for the proposed landscaped areas?

Ron.

Ron Goloubow, PG | Principal Geologist | **ron.goloubow@arcadis-us.com**

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From: Goloubow, Ron
Sent: Friday, June 03, 2011 7:25 AM
To: 'Santos.Carmen@epamail.epa.gov'
Cc: 'michael@pacificcharter.org'
Subject: Aspire School Oakland - Landscaped areas

Carmen after some discussions with representatives of Aspire & Pacific Charter School Development we would like to retain the landscaped areas and would like for EPA to consider the following design for the landscaped areas:

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Imported soil would be tested for PCBs (arclors) at the rate of one four point composite sample for every 2,000 cubic yards of soil to be imported.

Please let me know if this design would be acceptable.

Ron Goloubow, PG | Principal Geologist | **ron.goloubow@arcadis-us.com**

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Aspire 66th Avenue Landscaped Areas and Building 300
Goloubow, Ron
to:
Carmen Santos
05/20/2011 04:35 PM
Hide Details
From: "Goloubow, Ron" <Ron.Goloubow@arcadis-us.com>

To: Carmen Santos/R9/USEPA/US@EPA

History: This message has been replied to.

Carmen - thanks again for your time this afternoon I think we are getting "there". I did follow up on the proposed landscaped areas and at this time there is no plan to have the runoff or irrigation water diverted or tied into the sanitary sewer or storm sewer systems. The intent is for the water to infiltrated into the subsurface.

I also asked about the fence that is to be installed around the Building 300 area until the gymnasium is constructed . It is to be comprised of a 6-foot tall chain link fence with a wind screen.

I will call you on Wednesday; until then, thanks.

Ron.

Ron Goloubow, PG | Principal Geologist | **ron.goloubow@arcadis-us.com**

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RE: Aspire School Oakland - Landscaped areas
Goloubow, Ron
to:
Carmen Santos
06/07/2011 12:42 PM
Cc:
"michael@pacificcharter.org"
Hide Details
From: "Goloubow, Ron" <Ron.Goloubow@arcadis-us.com>

To: Carmen Santos/R9/USEPA/US@EPA

Cc: "michael@pacificcharter.org" <michael@pacificcharter.org>

Carmen PLEASE RESPOND!

We need to know what is happening with respect to the status of the EPA review/approval of the hard caped areas and if the scenario presented below would work for the proposed landscaped areas.

Thanks Ron.

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From: Goloubow, Ron
Sent: Friday, June 03, 2011 5:55 PM
To: 'Santos.Carmen@epamail.epa.gov'
Cc: 'michael@pacificcharter.org'
Subject: RE: Aspire School Oakland - Landscaped areas

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Ron.

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From: Goloubow, Ron
Sent: Friday, June 03, 2011 7:25 AM
To: 'Santos.Carmen@epamail.epa.gov'
Cc: 'michael@pacificcharter.org'
Subject: Aspire School Oakland - Landscaped areas

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Please let me know if this design would be acceptable.

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FW: Aspire Oakland - TSCA Encapsulation-Sep10-EM009155
Goloubow, Ron
to:
Carmen Santos
09/24/2010 07:59 AM
Show Details

Carmen - does Aspire need an approval from EPA to encapsulate the PCB-affected surficial soil as we discussed in our telephone conference call and as described in the attached letter?

Do you or someone at EPA have an example deed notice that Aspire could use as a template for this project?

Thanks Ron.

Ron Goloubow, PG | Principal Geologist | ron.goloubow@arcadis-us.com
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-----Original Message-----
From: Goloubow, Ron
Sent: Tuesday, September 21, 2010 3:38 PM
To: 'Santos.Carmen@epamail.epa.gov'
Subject: FW: Aspire Oakland - TSCA Encapsulation-Sep10-EM009155

Carmen-

Have you had an opportunity to review the attached letter?

Does Aspire need approval from the EPA to move the surficial soil and encapsulate it on-site as we discussed in our telephone conference call and as described in the attached letter? We are planning on moving the soil later this week or early next week.

Do you or someone at EPA have an example deed notice that Aspire could use as a template for this project?

Thanks Ron.

Ron Goloubow, PG | Principal Geologist | ron.goloubow@arcadis-us.com ARCADIS U.S., Inc. | 1900 Powell Street, Suite 1200 | Emeryville, CA 94608 T. 510.596.9550 | M. 510.501-1789 | F. 510.652.2246 www.arcadis-us.com

-----Original Message-----
From: Goloubow, Ron
Sent: Wednesday, September 15, 2010 4:00 PM
To: 'Santos.Carmen@epamail.epa.gov'; Wilson.Patrick@epamail.epa.gov; Khatri, Paresh, Env. Health
Cc: Charles Robitaille; Gibbs, Alan; Goldberg Day, Amy; Goloubow, Ron
Subject: Aspire Oakland - TSCA Encapsulation-Sep10-EM009155

The attached letter provides the scope of work that we discussed last week with respect to excavating and encapsulating some surficial soil that was identified as containing PCBs at concentrations greater than the 0.130 mg/kg clean-up goal for the project. Please contact me at your earliest convenience if you have any questions or need any more information.

Ron.

Aspire School Site in Oakland, California - Conditional Approval of SAP and LFR's November 18, 2009 Letter
Goloubow, Ron
to:
Carmen Santos
06/28/2010 04:45 PM
Show Details

Carmen as requested I have provided a summary of how the following conditions provided in your email below were addressed at the Subject Site. The responses are in green. Please let me know if this is what you were looking for. If so I will put it on ARCADIS letterhead to make it more formal...

Ron.

Ron Goloubow, PG | Senior Associate Geologist | ron.goloubow@arcadis-us.com

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www.arcadis-us.com

From: Santos.Carmen@epamail.epa.gov [mailto:Santos.Carmen@epamail.epa.gov]
Sent: Wednesday, November 25, 2009 10:30 AM
To: Goloubow, Ron
Cc: wilson.patrick@epa.gov; santos.carmen@epa.gov
Subject: PCBs: Aspire School Site in Oakland, California - Conditional Approval of SAP and LFR's November 18, 2009 Letter
Importance: High

Dear Ron Goloubow:

Thank you for submitting the November 18, 2009 letter concerning USEPA's November 13, 2009 conditions of approval for the *"Toxic Substances Control Act Self-Implementing Cleanup Notification and Certification Former Pacific Electric Motors Facility 1009 66th Avenue in Oakland, California"* (prepared by LFR Inc. for Aspire and dated October 23, 2009) and the *"Sampling and Analysis Plan (SAP) For the Former Pacific Electric Motors Facility 1009 66th Avenue, Oakland, California November 2009, Prepared under notification requirements of 40 CFR 761.61(a)(3)."* We have reviewed both documents, which are attached below. This message addresses clarifications on these documents and USEPA's conditional approval of LFR's Soil Sampling Plan.

A. LFR Inc. November 18, 2009 Letter

Ambient air monitoring for PCB Aroclors in dust at the perimeter of the site. I will consult next week with my colleagues on the perimeter air sampling that LFR has proposed to meet Condition 6 of USEPA's November 13, 2009 approval letter and will get back to LFR on this issue during the week of November 30, 2009. In the meantime, I have some comments regarding the NIOSH method proposed in LFR's November 18, 2009 letter. The NIOSH Method 5503 states that precision of the method has not been evaluated, accuracy of the method has not been determined, range not studied, and for bias, the method indicates that none has been identified. Perhaps other analytical methods could be considered to meet the purpose of Condition 6. In a separate message I am asking some clarifications on the miniRam.

Air monitoring consisting of dust monitoring and the collection and analysis of air samples was conducted in accordance with the procedures provided in the CAP and the letter from LFR to USEPA dated November 18, 2009. Analytical result of the air samples did not contain pcbs above the laboratory reporting limits in any of the air samples collected at the Site. The draft table summarizing the results of the air monitoring is attached.

Building Materials Sampling Plan. Decontamination of sampling equipment and tools must be in accordance with 40 CFR 761.79(c)(2) as required in approval Condition 3 of USEPA's November 13, 2009 approval letter. The portions of the tools that came in contact with the building materials (trowel, drill bit, and screwdriver) were swabbed with a towels containing hexane. The decontamination materials were disposed of along with the PCB affected soil that was transported to Waste Management's Kettleman Hills Landfill.

Deed Notice. As required in approval Condition 9 of USEPA's November 13, 2009 approval letter, the owner of the property is to submit a written, signed certification to USEPA certifying the required deed notice was recorded in accordance with state law. We have not yet started on this.

Certification required under 40 CFR 761.61(a)(3)(i)(E). The revised written, signed certification meets the requirements of USEPA's conditional approval letter. Okay

B. LFR's November 2009 Soil Sampling Plan - Conditional Approval

The following are the conditions of approval for *"Sampling and Analysis Plan (SAP) For the Former Pacific Electric Motors Facility 1009 66th Avenue, Oakland, California November 2009, Prepared under notification requirements of 40 CFR 761.61(a)(3)."*

1. SAP, Soil cleanup verification sampling. Verification of soil cleanup must be conducted in accordance with 40 CFR 761.61(a)(6) and 40 CFR 761, Subpart O. Refer to the requirements in these regulations. If verification sampling shows that soils are still above the 0.13 cleanup level, soils must be excavated until the cleanup level is achieved as demonstrated through cleanup verification sampling (see 40 CFR 761.61(a)(6)). Soil samples were collected from excavations of PCB-affected soil in accordance with the SAP which required sidewall samples collected approximately every 25 linear feet and bottom samples collected approximately every 400 square feet.

2. SAP, Sections 1.1 (Summary information), 1.3 (Target Excavation Levels), 2.2 (Excavation Confirmation Soil Sampling Procedure). As acknowledged in LFR's November 18, 2009 letter, the soil cleanup level for the self implementing cleanup of PCBs at the Aspire site in Oakland is 0.13 mg/kg (ppm) and not 0.39 mg/kg. The soil cleanup level in the LFR Sampling Plan is revised accordingly to reflect the soil cleanup level specified in USEPA's November 13, 2009 conditional approval letter.

3. SAP, Section 2.2 (Excavation Confirmation Soil Sampling Procedure). This section states:

> "Collect soil samples from the bottom of the excavation on an approximate 30 foot by 30 foot grid, at least one bottom sample will be collected from each excavation." and
>
> "Confirmation soil samples from either the floor or sidewalls that contain 0.39 mg/kg PCB or less shall be a confirmation that high-level PCB soils have been removed. Confirmation soil samples that contain greater than 0.39 mg/kg PCB shall be an indication that the specific grid needs further excavation in order to remove the PCB affected soil from the affected area."

The soil cleanup level referred to in the above cited paragraphs from Section 2.2 of the SAP is changed herein to 0.13 mg/kg (ppm), consistent with USEPA's November 13, 2009 approval letter. Please refer to Item B.1 ("SAP, Soil cleanup verification sampling") above. Done

4. LFR's November 23, 2009 electronic mail message. As agreed on November 23, 2009, LFR will collect six additional soil cleanup verification samples for PCB analysis only from the locations depicted in "blue highlighter" in the attached LFR map. These six soil cleanup verification samples are incorporated herein by reference into LFR's November 2009 SAP and such SAP is the subject of this conditional approval. LFR will also analyze for PCBs soil cleanup confirmation samples that will be collected around the perimeter of the polygon outlined in red and shown in the attached LFR map. LFR is collecting soil samples every 25 feet along the perimeter of this red-outlined polygon area. These samples are Such samples will also be analyzed with other constituents of concern identified at the site. These soil cleanup verification samples are incorporated herein by reference into LFR's November 2009 SAP and such SAP is the subject of this conditional approval. Although not discussed with LFR on November 23, 2009, PCB excavation areas (e.g., PCB Excavation Area 2) outside of the red-outlined

"polygon area" should also be reviewed in similar manner as PCB Excavation Area 3 and the polygon area to determine if additional soil cleanup verification samples are necessary in light of the 0.13 mg/kg cleanup level for PCBs. The detection limit for areas showing that PCBs were not detected should be reviewed to ensure the PCB detection limit used in the sample analysis is below the PCB cleanup level. Done.

5. "Additional Soil Sampling" and "Rationale for Additional Soil Sampling" sections in LFR's October 23, 2009 Self Implementing Cleanup Plan. These sections of the self implementing cleanup plan include additional soil characterization samples to be collected in certain areas (e.g., steam sump, beneath and around sewer lines, beneath and around the compressor area) at the Aspire site. These sections of the cleanup plan are incorporated herein by reference into LFR's November 2009 SAP and such SAP is the subject of this conditional approval. Depending on the sampling and analysis results, soil cleanup and cleanup verification may be necessary. Soil sampling must be conducted in accordance with 40 CFR 761, Subpart N. If necessary, based on site characterization sampling and analysis data for the areas described in the cited sections of the LFR October 2009 cleanup plan, soil cleanup and cleanup verification sampling may need to be conducted. Soil cleanup and cleanup verification sampling must be conducted in accordance with 40 CFR 761, Subpart O and 40 CFR 761.61(a)(6). The soil cleanup level for PCBs at the Aspire school site is 0.13 mg/kg. Done

6. SAP, Section 2.4 (Sampling Equipment Decontamination). Decontamination of sampling equipment, movable equipment, and tools must be done in accordance with 40 CFR 761.79(c)(2) as required in Condition 3 of USEPA's November 13, 2009. The buckets of the movable equipment was swabbed with a towels containing hexane. The decontamination materials were disposed of along with the PCB affected soil that was transported to Waste Management's Kettleman Hills Landfill.

7. SAP, Section 2.4.2 (Management of Investigation Derived Wastes. LFR must follow the requirements in Condition 5 of USEPA's November 13, 2009 approval letter for offsite disposal of all wastes containing PCBs, including among others, soils exceeding the PCB cleanup level of 0.13 mg/kg. Soil excavated from areas of the Site where soil samples contained PCBs at concentrations greater than 50 mg/kg was transported to Waste Management's Kettleman Hills Landfill as "Bulk PCB Remediation Waste". Soil excavated from areas of the Site where soil samples contained PCBs at concentrations less than 50 mg/kg was transported as "Bulk PCB Remediation Waste" to Republic Services Vaso Road Landfill. The building demolition debris including the concrete slab was also transported as Bulk PCB Remediation Waste to Republic Services Keller Canyon Landfill located in Pittsburg, CA.

Please let me know if you have any questions concerning the matters addressed in this message.

Sincerely,

Carmen D. Santos, Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

RE: Aspire Oakland
Goloubow, Ron
to:
Carmen Santos
11/19/2010 08:11 AM
Show Details

History: This message has been replied to.
Carmen I have a 10:30 meeting and will call you today. What time is best for you?

Ron Goloubow, PG | Principal Geologist | ron.goloubow@arcadis-us.com

ARCADIS U.S., Inc. | 1900 Powell Street, Suite 1200 | Emeryville, CA 94608
T. 510.596.9550 | M. 510.501-1789 | F. 510.652.2246
www.arcadis-us.com

From: Santos.Carmen@epamail.epa.gov [mailto:Santos.Carmen@epamail.epa.gov]
Sent: Wednesday, November 17, 2010 5:15 PM
To: Goloubow, Ron
Subject: Re: Aspire Oakland

Hello Ron:

I will get back to you soon. At first glance, we also need to get the description of the barrier separating the PCB contaminated soils from soils in the property adjacent to Aspire.

Regards,
Carmen

Carmen D. Santos, PCB Coordinator
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
voice: 415.972.3360
e-mail: santos.carmen@epa.gov
"Come to the edge....We can't, we are afraid....
Come to the edge....We can't, we will fall....
And they came to the edge....And he pushed them....And they flew...." Appolinaire.

From:	"Goloubow, Ron" <Ron.Goloubow@arcadis-us.com>
To:	Carmen Santos/R9/USEPA/US@EPA
Date:	11/17/2010 10:41 AM
Subject:	Aspire Oakland

As we discussed the 3 areas of surficial soil that contained PCBs above the 0.130 mg/kg clean up goal was relocated at the Site and all 15 confirmation soil samples (five samples from each of the three areas of excavation) did NOT contain PCBs above the 0.130 mg/kg goal. The analytical results for the confirmation soil samples were then used to re-calculate the 95-UCL for PCBs in soil at the Site and the risk numbers were re-calculated to account for the new data. The results are as follows

The 95-UCL for PCBs in soil goes from 0.265 to 0.167 mg/kg

Using this value for PCBs in soil the risk assessment number were recalculated and

The PCB risk calculation goes from 2E-6 to 1E-6

To mitigate the potential risk from PCBs (as well as lead or arsenic) in soil the 6-inch thick cap of concrete and asphalt is still being installed across the Site. I will formalize this data in a letter to the EPA BUT I need to address any other items you were thinking that need to be addressed. So the sooner you can send me the requirements the better.

Ron.

Ron Goloubow, PG | Principal Geologist | ron.goloubow@arcadis-us.com
ARCADIS U.S., Inc. | 1900 Powell Street, Suite 1200 | Emeryville, CA 94608
T. 510.596.9550 | M. 510.501-1789 | F. 510.652.2246
www.arcadis-us.com

Recalculations using 0 to 2 ft bgs
Goldberg Day, Amy
to:
Carmen Santos, Carmen Santos
09/07/2010 03:11 PM
Cc:
"Goloubow, Ron"
Show Details

COPC	Cleanup Goal (mg/kg)	Post Removal Action Representative Concentration (mg/kg)	Estimated Risk Based on Representative Concentration	Estimated Hazard Based on Representative Concentration
PCBs	0.13	0.2	1.5E-06	1.5

Per our conversation,

I recalculated the estimated risk and hazard considering the in-place soils in the 0 to 2 feet below ground surface depth. Previously, the deeper depth was used to follow the DTSC school site policy (0 to 8 feet bgs). ProUCL recommended the Chebyshev method for calculating statistics because the 0-2 feet bgs data did not have a clear statistical distribution. As you can see, the ProUCL recommended 95% UCL is 0.2 mg/kg. The estimated cancer risk attributed by PCBs is reduced form 2.1E-06 to 1.5E-06. Though ProUCL did not recommend their use, I thought you might be interested in the other calculated 95% UCLs.

Distribution	Associated 95% UCL (mg/kg)
Lognormal	0.12
Gamma	0.14
Normal	0.15

We will go ahead and remove the three PD samples as discussed in our call earlier today. I will then recalculate the 95% UCL including the yet-to-be-collected confirmation samples. I will contact you again after the additional data evaluation has been completed.

Please feel free to contact me if you have questions on this information.

Sincerely,

Amy

Amy Goldberg Day | Principal Toxicologist | Amy.GoldbergDay@arcadis-us.com
ARCADIS U.S., Inc. | 1900 Powell Street, 12th floor | Emeryville, California 94608
T. 510 596-9507 | M 415 939-3412 | F. 510 652-4906
www.arcadis-us.com
ARCADIS Imagine the result

Aspire Oakland
Goloubow, Ron
to:
Carmen Santos
11/17/2010 10:41 AM
Show Details

History: This message has been replied to and forwarded.

As we discussed the 3 areas of surficial soil that contained PCBs above the 0.130 mg/kg clean up goal was relocated at the Site and all 15 confirmation soil samples (five samples from each of the three areas of excavation) did NOT contain PCBs above the 0.130 mg/kg goal. The analytical results for the confirmation soil samples were then used to re-calculate the 95-UCL for PCBs in soil at the Site and the risk numbers were re-calculated to account for the new data. The results are as follows

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Using this value for PCBs in soil the risk assessment number were recalculated and

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To mitigate the potential risk from PCBs (as well as lead or arsenic) in soil the 6-inch thick cap of concrete and asphalt is still being installed across the Site. I will formalize this data in a letter to the EPA BUT I need to address any other items you were thinking that need to be addressed. So the sooner you can send me the requirements the better.

Ron.

Ron Goloubow, PG | Principal Geologist | ron.goloubow@arcadis-us.com

ARCADIS U.S., Inc. | 1900 Powell Street, Suite 1200 | Emeryville, CA 94608
T. 510.596 9550 | M. 510.501-1789 | F. 510.652 2246
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Santos, Carmen

Subject: Aspire Oakland
Location: Call in Number: 855-201-9213 - Conf ID: 910-507-2292#

Start: Wed 6/25/2014 1:00 PM
End: Wed 6/25/2014 2:30 PM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Goloubow, Ron

When: Wednesday, June 25, 2014 1:00 PM-2:30 PM (UTC-08:00) Pacific Time (US & Canada).
Where: Call in Number: 855-201-9213 - Conf ID: 910-507-2292#

Note: The GMT offset above does not reflect daylight saving time adjustments.

~~*~*~*~*~*~*~*~*

Conference Call Agenda
Aspire Oakland, CA
June 24, 2014

Brief Introductions

Case Closure for Fuel Tank Project
Confirm that there are not outstanding data or reporting requirements
Public Notification
Well Abandonment
Vapor Barrier for Gym
Schedule

EPA status of approval for the following documents submitted on May 20, 2014
Amendment to the Removal Report
Soil Management Plan,
Operation and Maintenance Plan for Cap Mitigation Measures
Draft Land Use Covenant
Schedule

Proposed Construction Project for Aspire
Notification of Construction Project/Cap Modification to Agencies – per the soil management plan provide notification for cap modification
Scope of Construction Project
(Foundations)
(Soil Vapor Barrier)
Schedule – begin construction project in August 2014

Closing
Confirm Schedule(s)

Santos, Carmen

Subject: Cap Modification Plan - Aspire School Site in Oakland
Location: Conference Call - 1-855-201-9213; access code - 180-733-8745

Start: Fri 12/19/2014 10:00 AM
End: Fri 12/19/2014 11:00 AM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Kalve, Erica

Hi There,

Hopefully this time works for everyone. Looking forward to our discussion.

Best Regards,

Erica
Conference Call - 1-855-201-9213; access code - 180-733-8745
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Santos, Carmen

From: Santos, Carmen
Sent: Wednesday, December 17, 2014 4:07 PM
To: 'Kalve, Erica'
Subject: RE: Aspire - Cap Modification

Hi Erica:

What about a call on December 19 at 10:30 AM? Please confirm. Thank you.

Sincerely,
Carmen

Carmen D. Santos
PCB Coordinator
USEPA Region 9 (LND-4-1)
Land Division
75 Hawthorne Street
San Francisco, CA 94105
Voice: 415.972.3360
santos.carmen@epa.gov

"Think left and think right and think low and think high. Oh, the thinks you can think up if only you try!" Dr. Seuss

---

Before printing this message and/or attachments, think if it is necessary. Think Green.

From: Kalve, Erica [mailto:Erica.Kalve@arcadis-us.com]
Sent: Wednesday, December 17, 2014 2:47 PM
To: Santos, Carmen
Cc: Tim Simon (Tim.Simon@aspirepublicschools.org)
Subject: Re: Aspire - Cap Modification

Hi Carmen,

Thank you for your message. I am available any time on Friday. Just let me know what time works for you and I will send out an invitation.

We are really looking forward to speaking with you on Friday!

Best Regards,
Erica

Sent from my iPhone

On Dec 17, 2014, at 12:24 PM, "Santos, Carmen" <Santos.Carmen@epa.gov> wrote:

<image001.jpg>
Hello Erica:

Are you in the office on Friday December 19? If you are, I am available to talk regarding the cap modification plan.

Regarding my schedule, I will be out of the office after December 23, 2014 and returning on January 5, 2015.

I look forward to your reply and thank you for your courtesies.

Sincerely,
Carmen

Carmen D. Santos
PCB Coordinator
USEPA Region 9 (LND-4-1)
Land Division
75 Hawthorne Street
San Francisco, CA 94105
Voice: 415.972.3360
santos.carmen@epa.gov

"Think left and think right and think low and think high. Oh, the thinks you can think up if only you try!" Dr. Seuss

---

Before printing this message and/or attachments, think if it is necessary. Think Green.

Santos, Carmen

Subject: Fuel Leak Case 1009 66th Avenue, Oakland, CA
Location: Conference Call - 1-855-201-9213; access code - 180-733-8745

Start: Fri 11/14/2014 3:30 PM
End: Fri 11/14/2014 4:30 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Kalve, Erica

Hi There,

I spoke with Carmen yesterday and it looks like she is able to make a meeting today at 3:30pm to discuss the cap modification plan review. This invitation is just to confirm the call in and exact time. I also wanted to make this a live meeting so that we can review figures together if needed, to facilitate the conversation.

Talk with you soon.

Best Regards,
Erica
******* DO NOT DELETE OR CHANGE ANY OF THE TEXT BELOW THIS LINE *******

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http://www.webex.com

Santos, Carmen

From: Kalve, Erica <Erica.Kalve@arcadis-us.com>
Sent: Friday, November 14, 2014 2:44 PM
To: Santos, Carmen
Cc: Tim Simon (Tim.Simon@aspirepublicschools.org)
Subject: Agenda for Today's Call

Hi Carmen,

These are the key discussion points we want to go over today:

1) Pre-construction characterization sampling objectives
2) Soil management during construction
3) Review schedule and timeline for conditional approval of CMP

We look forward to speaking with you soon.

Best Regards,
Erica

Please note my new contact information is provided below.

Erica Kalve, PG | Senior Geologist | erica.kalve@arcadis-us.com

ARCADIS U.S., Inc. | 100 Smith Ranch Road, Suite 329 | San Rafael, CA, 94903
T. 415.491.4530 ext. 22 | M. 510.206.4514 | F. 415.491.4532
www.arcadis-us.com

Santos, Carmen

Subject: Aspire Air Monitoring Plan for Construction of Building 300
Location: Conference Call - 1-855-201-9213; access code - 180-733-8745

Start: Thu 3/5/2015 3:30 PM
End: Thu 3/5/2015 4:30 PM

Recurrence: (none)

Meeting Status: Accepted

Organizer: Kalve, Erica

Rm 6307

Hi There,

Thank you all for making yourself available for a conference call this afternoon to discuss the final selected dust Action Levels and revised Air Monitoring Plan for construction of Building 300 at the Former Pacific Electric Motors Site 1009 66th Avenue, Oakland, California; Alameda County Environmental Health (ACDEH) Fuel Leak Case Number RO0000411 ("the Site"). Below is a brief agenda:

- Dust suppression measures
- Derived chemical-specific action levels
- California Ambient Air Quality Standards as the final dust Action Level (most conservative)
- Response actions and agency notifications
- Construction Schedule

We look forward to speaking with you soon!

Best Regards,
Erica

Santos, Carmen

From: Kalve, Erica <Erica.Kalve@arcadis-us.com>
Sent: Friday, December 19, 2014 1:14 PM
To: Santos, Carmen
Cc: Tim Simon (Tim.Simon@aspirepublicschools.org); Tan, Angeline
Subject: Summary of CMP and CMP Addendum - 1009 66th Avenue, Oakland, California

Dear Carmen,

Thank you again for the productive meeting this morning to discuss the Cap Modification Plan (CMP), dated October 17, 2014, and the CMP Addendum, dated December 4, 2014, for the Former Pacific Electric Motors Facility located at 1009 66th Avenue in Oakland, California. Below is a summary of the CMP sections and modifications made by the CMP Addendum:

CMP Section		Modified? (Yes/No)	Comment Regarding Modification
1.0	Introduction	No	--
2.0	Background Information	Yes	Section 2.5 of the CMP was modified by the CMP Addendum to describe the soil management strategy. Specific subsections updated include:
2.5.1	Soil Management Strategy	Yes	- See section 3.1 of the CMP Addendum. As specified, soil will not be reused onsite.
2.5.3	Stockpile Management	Yes	- See section 3.1.1 of the CMP Addendum. As specified, soil will be placed directly onto roll-off bins and the lids will be secured (i.e., with locks) or loaded onto trucks for immediate off-site disposal in accordance with Aspires' written permission.
2.5.4	Soil Characterization and Off-Site Reuse/Disposal	Yes	- See section 3.1.2 of the CMP Addendum. As specified, results of pre-demolition sampling will be used to pre-characterize and profile soil for off-site disposal. For clarification, the soil samples will be collected in situ prior to demolition of the existing cap.
3.0	Site Modifications	No	--
4.0	Pre-Demolition Soil Sampling Plan	Yes	Section 4 of the CMP was modified by the CMP Addendum to include additional soil sample locations. For clarification, a total of 36 soil samples from a total of 26 boring locations will be collected as described in Section 2 and shown on Figure 3 of the CMP Addendum. Specific subsections updated as follows:
4.1	Soil Borings	Yes	- See section 2.1 of the CMP Addendum. As specified, an additional fourteen soil borings will be included in the pre-demolition soil sampling plan.
4.2	Soil Sample Collection	Yes	- See section 2.2 of the CMP Addendum. As specified, samples will be collected from 0.5 to 1.0 feet below ground surface from the fourteen additional soil boring locations.
5.0	Demolition Plan	Yes	Section 5 of the CMP was modified by the CMP Addendum to present revised calculations of the estimated removal quantities. Other information presented in Section 5 of the CMP was not modified by the CMP Addendum.

6.0	Waste Segregation and Disposal Plan	Yes	Section 6 of the CMP was modified by the CMP Addendum to describe management of material containing cement treated native soil and native soil in accordance with the CMP Addendum.
7.0	New Cap Plan	No	--

We are seeking approval the CMP for portions of the plan that were not modified by the CMP Addendum, and approval of the CMP Addendum.

Please let us know if you would like any additional clarification. I am available today and early next week, if needed.

Best Regards,
Erica

Please note my new contact information is provided below.

Erica Kalve, PG | Senior Geologist | erica.kalve@arcadis-us.com

ARCADIS U.S., Inc. | 100 Smith Ranch Road, Suite 329 | San Rafael, CA, 94903
T. 415.491.4530 ext. 22 | M. 510.206.4514 | F. 415.491.4532
www.arcadis-us.com

RE: 1009 66th Ave. Oakland, CA - Conference call
Goloubow, Ron
to:
Carmen Santos
10/19/2009 10:31 AM
Cc:
"Gibbs, Alan", "Seyfried, Scott", "Jones, Michael"
Show Details

We are set to have a conference call at 1:00 PST Today Monday, October 19, 2009 to discuss the details regarding PCBs at the subject Site.

Now that we have up to four or five participants please use the following call in number:

800-406-9170 - dial in number

666-598-1298# - conference ID

Talk to you all at 1:00 PST

Ron.

Ron Goloubow, P.G.
LFR Inc., an ARCADIS Company
510-596-9550 Direct Dial
510-501-1789 Cell
510-652-4906 Facsimile
ron.goloubow@lfr.com

From: Goloubow, Ron
Sent: Friday, October 16, 2009 3:17 PM
To: 'Santos.Carmen@epamail.epa.gov'; Wilson.Patrick@epamail.epa.gov
Cc: Gibbs, Alan; Seyfried, Scott; Jones, Michael
Subject: 1009 66th Ave. Oakland, CA - Site Plan

Carmen - attached is a site plan of the subject site that illustrates the following items that we would like to discuss with you and Patrick Wilson next week:

- Soil and concrete sampling plan based on a 75-foot by 75-foot grid across the property (excluding the office space and parking area along 66th Avenue).
- Proposed areas of excavation and confirmation soil sampling locations (based on a 30 foot by 30 foot grid within each area of excavation.

Another item we would like to discuss is the disposal plan for PCB affected soil and concrete that will be removed from the Site.

We look forward to speaking with you.

Ron Goloubow, P.G.
LFR Inc., an ARCADIS Company

510-596-9550 Direct Dial
510-501-1789 Cell
510-652-4906 Facsimile
ron.goloubow@lfr.com

Fw: PCBs: Aspire - Conference Call to Discuss Site Data Risk Mitigation
Carmen Santos
to:
Ron.Goloubow
02/26/2010 12:38 PM
Cc:
Patrick Wilson
Show Details

Hello, Ron:

I am confirming that Patrick and I are available on March 2, 2010 for a conference call at 10:30 AM regarding Aspire. Please verify this date and time for the call is still good for you. Thank you.

Regards,
Carmen D. Santos, Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

-----Forwarded by Carmen Santos/R9/USEPA/US on 02/26/2010 12:20PM -----

To: "Goloubow, Ron" <Ron.Goloubow@arcadis-us.com>
From: Carmen Santos/R9/USEPA/US
Date: 02/24/2010 01:52PM
cc: charles@pacificcharter.org, paresh.khatri@acgov.org, Patrick Wilson/R9/USEPA/US@EPA
Subject: PCBs: Aspire - Conference Call to Discuss Site Data Risk Mitigation

Hello, Ron:

Patrick is out of the office this week. I suggest tentatively scheduling a conference call for March 2, 2010 at 10:30 AM. As soon as I hear from Patrick, I will let you know if we can have the call on March 2.

I like to clarify the purpose of the call from USEPA's perspective. The call is to go over the currently available data for PCBs, data analysis (including methods), and site mitigation in context to the 0.13 risk based cleanup level for PCBs. This cleanup level is a cumulative risk-based cleanup level that in addition to PCBs it addresses other constituents of concern (e.g., arsenic, lead) at the site. Given the nature of the cleanup level, USEPA believes that a discussion on the PCB data may also involve a discussion on the other contaminants at the site.

Please let me know if it is Aspire's plan to also invite DTSC to participate in the conference call.

Thank you for your courtesies.

Regards,

Carmen D. Santos, Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

Santos.Carmen

From: SANTOS, CARMEN
Sent: Thursday, January 31, 2013 11:47 AM
To: Khatri, Paresh, Env. Health
Cc: Goloubow, Ron
Subject: Fw: PCBs: Aspire School Site, Oakland, CA - USEPA Comments on Addendum Report and Other Documents

Hello Paresh:

I hope 2013 is going well for you so far.

This message is to update you on EPA's next steps regarding the Aspire School site in Oakland. We reviewed the report and the deed restriction. The message attached below contains our comments on the Addendum Report that Arcadis had sent to us for review. Ron Goloubow will be sending a redline/strike out revised draft Addendum Report by the end of next week to us. We hope that all issues associated with the report and any related to the deed restrictions are resolved by the end of March 2013. We have a

We still need to receive a revised deed restriction that meets our requirements. EPA would be a third party beneficiary. Do you know if the Alameda County Environmental Health will be the Covenantee on the Aspire deed restriction? Please let me know. Thank you.

Please call me if you have any questions concerning this message.

Sincerely,
Carmen

Carmen D. Santos
PCB Coordinator
RCRA Corrective Action Office (WST-5)
Waste Management Division
USEPA Region 9
415.972.3360
santos.carmen@epa.gov

"Think left and think right and think low and think high. Oh, the thinks you can think up if only you try!" **Dr. Seuss**

----- Forwarded by Carmen Santos/R9/USEPA/US on 01/31/2013 11:21 AM -----

From: Carmen Santos/R9/USEPA/US
To: Ron.Goloubow@arcadis-us.com,
Cc: Patrick Wilson/R9/USEPA/US@EPA
Date: 12/10/2012 05:03 PM
Subject: PCBs: Aspire School Site, Oakland, CA - USEPA Comments on Addendum Report and Other Documents

Hello Ron:

Below are my comments on several documents that you submitted for review. We discussed many of these comments during our conference call on December 7, 2012. Please make revisions responsive to the comments and consistent with the December 7, 2012 conference call.

Please send us a CD-ROM containing the appendices or attachments to the Addendum since the original CD-Rom appears to be defective.

In reference to the O&M Plan, given the significance of the matters covered in Sections 4. through 8. of that plan, please schedule a conference call to go over those sections of the plan. After that future call, I may have additional comments on the O&M Plan. For now, comments on the O&M Plan are included in comments 14 through 19.

Addendum Report (PCB cleanup report)

Pages 2 to 3, Last bullet ("Revised figures showing: . . .")

1. Addendum. The sub-bullet under the Last bullet states that "Areas where cleanup levels were achieved, where the cleanup levels were not achieved and where soils contaminated with PCBs above the cleanup level were encapsulated. . . ." The sub-bullet should be expanded to clarify that "encapsulated" soils are beneath the cap and the depth at which the "encapsulated" soils are located beneath the cap.

2. Addendum. Figure 3 ("System Plan Showing Pavement Plan / Cap In-Place Soil Exceeding PCB Cleanup Goals"). We were under the understanding that Arcadis had agreed to excavate and consolidate in the W1-SDWall 2' and W2-SDWall 2' area all the soils that exceeded the cleanup level at the site. Please clarify if that approach was followed. If a different approach was followed the Report should be revised to explain how soils above the PCB cleanup level was handled. Comparison of Figure 3 to the table ("Post-Demolition Surface Soil Samples") on page 3 indicates that except for PD-1, PD-2, and PD-6, the remaining data in that table is not included in Figure 3. Is Figure 3 supposed to show the PCB concentrations summarized in the table found in page 3? Please clarify. In addition, if all soils containing PCBs above the cleanup level were consolidated in the W1-SDWall 2' and W2-SDWall 2' area, or consolidated in another area in addition to the W1 and W2 areas, or left in place in addition to been consolidated in a specific area then Figure 3 should include clarification notes addressing this matter. Please revise the text of the Report and Figures in response to this comment.

3. Addendum. The Report states in page 3 that "An area measuring approximately 10 feet long by 10 feet wide by 2 feet below grade was excavated at each of three locations (PD-3, PD-4, and PD-5; see Figure 3)." However, the locations PD-3 through PD-5 are not depicted in Figure 3. In addition, the Report does not state whether the soils removed from PD-3 through PD-5 were disposed offsite or consolidated onsite. Please clarify the fate of the soils excavated from PD-3 through PD-5 and PD-1, PD-2, and PD-6.

Pages 9 to 10 of the Report:

4. Addendum. What is the in-situ PCB concentration for soils in EXC-PCB2, EXC-PCB3, EXC-PCB4, and EXC4? In addition, please also confirm the concentration of PCBs in soils from EXC4 that were mixed with soils from the other excavations. According to the report the soil was stockpiled and sampled for PCBs to determine the PCB concentration for disposal. And the soils were disposed of at the Republic Services Keller Canyon Landfill which is a construction debris landfill. The in-situ concentration and not the concentration of PCBs in the stockpiled soils should had been used to determine the disposal method and facility as required in the regulations. Also, according to the report, EXC4 soils contained PCBs above 50 mg/kg. Please revise the Report to address the needed clarifications.

5. Addendum. The Report states that copies of manifest numbers: 005417521JJK, 005417522JJK, and 005417534JJK have not been received from Kettlemann. USEPA requested that Kettleman provide copies of those manifests. Attached are the pdf files containing that information.

EPA ASPIRE
LIC SCHOOLS MA

6. Addendum. What was the PCB concentration in concrete and other debris consolidated at the site and disposed of at the Republic Services' Keller Canyon Landfill? Was the concentration of PCBs in each of the different materials (e.g., wood, concrete) below 50 mg/kg total PCBs?

7. Addendum. Nomenclature for sample identification codes is inconsistent within the Report and the Figures in the Report. These inconsistencies need to be reconciled.

8. Addendum. Soil Disposal Summary. Please review the table and text in reference to the disposal summary and clarify the waste classifications. For instance, PCB remediation waste with PCB concentrations above the cleanup level is being regulated by TSCA for disposal. The difference is in the disposal options based on PCB concentration. 50 ppm and

higher, disposal in TSCA or RCRA/TSCA landfill. less than 50 ppm, disposal in TSCA, RCRA/TSCA, municipal solid waste, or construction debris landfill. California regulates PCBs at 50 ppm and higher as a hazardous waste.

Page 5, Revised health risk screening calculations

9. Addendum. The report should explain the meaning of the estimated risk in context to the mitigation measures (e.g., cap) applied to the site to mitigate health risks. The protectiveness of the mitigation measures should be explained in context to the risk reduction that they provide.

Figures

10. Addendum. All figures must be revised to accurately depict the actual PCB residual concentrations and location of those concentrations at the site and actual areas where soils contaminated with PCBs above the cleanup level were consolidated. The figures must also be revised to accurately depict all sampling areas; and sample identification codes for samples representing remaining residual PCB concentrations at the site.

****

Soil Management Plan (SMP)

11. SMP. General comment. The soil management plan must be revised to reflect final conditions at the site and to be consistent with the final PCB cleanup report.

12. SMP. Section 4. Soil Remediation. The second paragraph in Section 4: "The most likely location for affected soil to be encountered during redevelopment activities is along the property boundary at the northwestern portion of excavation PCB3 and the property boundary at the northeastern portion of excavation EXC4." This paragraph is inconsistent with Figure 3 of the Addendum Report and must be revised.

13. SMP. The plan must be revised to include actions that will be taken to properly manage soils containing PCBs during post- redevelopment activities, such as during repairs to the cap and repairs to below ground utilities.

****

Draft Operation and Maintenance Plan for Cap Mitigation Measures (O&M Plan)

14. Cap O&M Plan. General comment. The Cap O&M Plan must be revised to accurately capture current conditions at the site and the final cap as described in the Addendum Report. The Cap O&M Plan, Addendum Report, Soil Management Plan, and Restricted Covenant should be accurate and the information presented not conflict among these documents. Figures presented in all these documents must present consistent and accurate data.

15. Cap O&M Plan. The cap is to be maintained in perpetuity.

16. Cap O&M Plan. Section 1.2.2 (Self-Implementing Cleanup Plan), Paragraph 6. The information presented in this paragraph is incomplete. Based on Figure 3 in the Addendum Report, PCBs above the cleanup level were left in place at several locations in addition to the W1-WSDWall 2' and W2-WSDWall 2' areas.

17. Cap O&M Plan. A restrictive covenant has been prepared for EPA review and not a deed notification.

18. Cap O&M Plan. Section 4.1 (Periodic Inspections). Please describe the training that will be given to school staff proposed to conduct inspections of the cap and provide the qualifications of such personnel to conduct the cap inspections and repairs.

19. Please propose a convenient time for a conference call to discuss Section 4. (O&M Inspections), Section 5. (Intrusive Work Activities, Section 6. (Reporting and Recordkeeping), Section 7. (Site Access), and Section 8. (Variance, Modification, or Termination of O&M Plan).

****

Covenant and Environmental Restriction on 1009 66th Avenue, Oakland, California

20. Covenant. EPA should be a beneficiary and not a covenantee under the Covenant. Attached is an example template of a restrictive covenant for your use in revising the restrictive covenant for the Aspire site. A restrictive covenant is necessary for the site to ensure the cap is monitored, maintained, and repaired in perpetuity; and that proper procedures are in place for protection of human health and the environment in case the cap is breached to conduct post redevelopment activities such as repairs to underground utilities.

Environmental
Restriction Temp...

21. Covenant. The information in the covenant needs to be updated to reflect completion of the final PCB remedy at the site and revised cleanup completion reports..

22. Covenant. In addition to referencing several documents in the covenant such as the Soil Management Plan, Operation and Maintenance Plan for the Cap, and Addendum Report, we recommend the following information be included in applicable articles of the covenant:

- Full description and survey coordinates for the cap.
- Figure depicting accurate location and survey coordinates for cleanup verification samples that exceed the cleanup level; and location of consolidated soils containing PCBs. The current figures are not accurate and do not depict all locations where residual PCB concentrations above the cleanup level remain at the site. The exhibits to the covenant need to be revised to reflect accurate information. For example, the "Lands of College for Certain, LLC PCB Encapsulated Area" does not include all areas at the site where PCBs in soils exceed the cleanup level.
- Additional figures as necessary.
- Text explaining the cap must be operated, maintained, and repaired in perpetuity. Modifications to the cap require EPA approval before making the modifications.
- Land use or zoning for the Aspire property.
- Post-redevelopment management of soils that contain PCBs.
- Cap monitoring (or inspection), maintenance, and repair activities including frequency of inspections and schedules for inspections and repairs. Revised cap inspection form.
- In case that a residential redevelopment is decided in the future to be built in the area of the Aspire school, additional soil cleanup may be necessary.
- Management of soils and contingencies when replacing vegetation (e.g., plants, shrubs, trees) in the planters.
- Revised legal descriptions including Parcel 1, Parcel 2, and the PCB Encapsulated Area.
-

23. Covenant. The revised covenant should undergo legal review before resubmitting the document for EPA review.

-

****

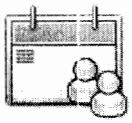
Please let me know if you have any questions concerning the above comments.

Sincerely,
Carmen

Carmen D. Santos
PCB Coordinator
RCRA Corrective Action Office (WST-5)
Waste Management Division
USEPA Region 9
415.972.3360
santos.carmen@epa.gov

"Think left and think right and think low and think high. Oh, the thinks you can think up if only you try!" **Dr. Seuss**

****



Aspire Site - Meeting with LFR / Arcadis
Calendar Entry

Tue 10/27/2009 2:00 PM - 4:00 PM

Rooms: R1211 Pyramid Lake/Region 9@EPA

Required:	Katherine Baylor/R9/USEPA/US@EPA, Patrick Wilson/R9/USEPA/US@EPA, Ron.Goloubow@lfr.com
FYI:	Steve Armann/R9/USEPA/US@EPA

Description

PCBs: Aspire Site - Internal Meeting
Calendar Entry
Tue 10/27/2009 10:30 AM - 11:30 AM
Location: Jeff Scott's Office

Required:	Katherine Baylor/R9/USEPA/US@EPA, Patrick Wilson/R9/USEPA/US@EPA
FYI:	Steve Armann/R9/USEPA/US@EPA

Description

RE: PCBs: Aspire Site in Oakland - Follow Up to June 17, 2010 Conference Call - Invitation
Khatri, Paresh, Env. Health
to:
Carmen Santos
06/23/2010 04:34 PM
Cc:
Patrick Wilson, "Drogos, Donna, Env. Health"
Show Details

Hello Carmen,

We are available tomorrow (Thursday, June 24, 2010) at 10:00 am.

Look forward to speaking with you then.

Sincerely,

Paresh C. Khatri
Hazardous Materials Specialist
Alameda County Environmental Health
Local Oversight Program
1131 Harbor Bay Parkway
Alameda, CA 94502-6577

Phone: (510) 777-2478
Fax: (510) 337-9335

E-mail: Paresh.Khatri@acgov.org

http://www.acgov.org/aceh/lop/lop.htm

From: Santos.Carmen@epamail.epa.gov [mailto:Santos.Carmen@epamail.epa.gov]
Sent: Wednesday, June 23, 2010 3:41 PM
To: Khatri, Paresh, Env. Health
Cc: Wilson.Patrick@epamail.epa.gov
Subject: PCBs: Aspire Site in Oakland - Follow Up to June 17, 2010 Conference Call - Invitation

Hello, Paresh:

I am following up on the conference call that we had with Aspire on June 17.

Please let me know the times at which you are available for a conference call with Patrick Wilson and me on Thursday June 24. On June 24, we are available after 10:00 AM and before 4:00 PM, except from 1:30 to 2:30 PM. In addition, please let me know your availability on Friday June 25.

We want to have a dialogue with you on the following issues:

- Does County has risk assessment support via DTSC or RWQCB for the Aspire site?
- Risk evaluation for lead: Decide which model to follow between DTSC's lead spread or USEPA's biokinetik models.
- Arsenic - ARCADIS has calculated an arsenic background concentration of 7 to 9 mg / Kg for arsenic; and a site-specific arsenic background level of 8.8 mg / Kg. How does the County feel about this site-specific arsenic background level?
- Site characterization and cleanup verification sampling - PCBs, arsenic, and lead
- Trespassers
- Vapor intrusion issues at the site - How is the County evaluating and remediating vapor intrusion issues at the site? What type of support the County currently has (internally or from others) or needs? Does County has risk assessment support to evaluate vapor intrusion impacts to Aspire property?
- Impacts of flood at the site on vapor intrusion and ground water wells - Has the County evaluated these impacts, if any?

I look forward to receiving confirmation on your availability for a conference call with you on June 14, 2010.

Thank you for your courtesies.

Regards,
Carmen

Carmen D. Santos, Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

Aspire Oakland - Agenda and Maps for June 17th Conference Call
Goloubow, Ron
to:
Carmen Santos, Patrick Wilson, Khatri, Paresh, Env. Health, Steph.Wilson@aspirepublicschools.org, Charles Robitaille, Gibbs, Alan, Goldberg Day, Amy, Goloubow, Ron
06/16/2010 01:48 PM
Show Details

Talk to you all tomorrow at 10:00 AM.

Please contact me if you want to modify the agenda, if you have any questions, or need any more information.

Call in number: 800-406-6170
Conference ID: 666-598-1298#

10 15 15 8000 -

Ron.

Ron Goloubow, PG | Senior Associate Geologist | ron.goloubow@arcadis-us.com

ARCADIS U.S., Inc. | 1900 Powell Street, Suite 1200 | Emeryville, CA 94608
T. 510.596.9550 | M. 510.501-1789 | F. 510.652.2246
www.arcadis-us.com

1 877 - 999 - 1272

164 - 8655

164

Aspire Maps and Tables for Conference Call
Goloubow, Ron
to:
Carmen Santos, Patrick Wilson, paresh.khatri@acgov.org
03/01/2010 03:19 PM
Cc:
"Gibbs, Alan", "Goldberg Day, Amy", Steph Wilson, Charles Robitaille, "Goloubow, Ron"
Show Details

Carmen per our conversation last week I indicated that I would revised the site maps and summary tables to include data for samples that represents soil that is "in place" or not excavated. The attached map and tables provide that information. Please let me know if you have any questions or need any more information before our call Tuesday March 2 (tomorrow) at 10:30 AM.

Ron.

Ron Goloubow, PG | Senior Associate Geologist | ron.goloubow@arcadis-us.com

ARCADIS U.S., Inc. | 1900 Powell Street, Suite 1200 | Emeryville, CA 94608
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Fw: PCBs: Aspire - Conference Call to Discuss Site Data Risk Mitigation
Carmen Santos
to:
Ron.Goloubow
02/26/2010 12:38 PM
Cc:
Patrick Wilson
Show Details

Hello, Ron:

I am confirming that Patrick and I are available on March 2, 2010 for a conference call at 10:30 AM regarding Aspire. Please verify this date and time for the call is still good for you. Thank you.

Regards,
Carmen D. Santos, Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

-----Forwarded by Carmen Santos/R9/USEPA/US on 02/26/2010 12:20PM -----

To: "Goloubow, Ron" <Ron.Goloubow@arcadis-us.com>
From: Carmen Santos/R9/USEPA/US
Date: 02/24/2010 01:52PM
cc: charles@pacificcharter.org, paresh.khatri@acgov.org, Patrick Wilson/R9/USEPA/US@EPA
Subject: PCBs: Aspire - Conference Call to Discuss Site Data Risk Mitigation

Hello, Ron:

Patrick is out of the office this week. I suggest tentatively scheduling a conference call for March 2, 2010 at 10:30 AM. As soon as I hear from Patrick, I will let you know if we can have the call on March 2.

I like to clarify the purpose of the call from USEPA's perspective. The call is to go over the currently available data for PCBs, data analysis (including methods), and site mitigation in context to the 0.13 risk based cleanup level for PCBs. This cleanup level is a cumulative risk-based cleanup level that in addition to PCBs it addresses other constituents of concern (e.g., arsenic, lead) at the site. Given the nature of the cleanup level, USEPA believes that a discussion on the PCB data may also involve a discussion on the other contaminants at the site.

Please let me know if it is Aspire's plan to also invite DTSC to participate in the conference call.

Thank you for your courtesies.

Regards,

Carmen D. Santos, Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

"Goloubow, Ron" ---02/24/2010 10:28:05 AM---Carmen thanks so much for taking the time to discuss the status of the project yesterday. As we disc

From: "Goloubow, Ron" <Ron.Goloubow@arcadis-us.com>

To: Carmen Santos/R9/USEPA/US@EPA, "paresh.khatri@acgov.org" <paresh.khatri@acgov.org>

Cc: Charles Robitaille <charles@pacificcharter.org>

Date: 02/24/2010 10:28 AM

Subject: Aspire - Conference Call to discuss Risk Mitigation

Carmen thanks so much for taking the time to discuss the status of the project yesterday.

As we discussed, one of the next steps for the project is to have Patrick Wilson (the EPA's Health Risk Expert) and Amy Goldberg Day (the Arcadis heath risk expert) along with Paresh from the Alameda County discuss the *specific* risk mitigation steps that will allow for the redevelopment of the Site due to the presence of lead, arsenic, or PCB affected soil that will likely remain in place at concentrations that exceed the site clean-up goals.

Can you all please let me know if Tuesday, March 2, 2010 art 10:00 would work? If Tuesday, March 2, does not work, please provide a couple of alternative dates and times that could work.

Thanks Ron.

Ron Goloubow, PG | Senior Associate Geologist | ron.goloubow@ arcadis-us.com
ARCADIS U.S., Inc | 1900 Powell Street, Suite 1200 | Emeryville, CA 94608
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PCBs: Aspire Site in Oakland (1009 66th Avenue)
Carmen Santos to: Ron.Goloubow 02/22/2010 12:27 PM
Cc: Christopher Rollins
Bcc: Steve Armann

Greetings, Ron:

This message is concerning the application dated January 14, 2010.

I want to provide a clarification on the issue of disposal of PCB remediation waste , since we have cited the regulations for disposal in several previous occasions . This message also request specific information concerning off-site disposal of PCB remediation waste.

In reviewing the application, it seems that LFR-ARCADIS / Aspire believe that soils contaminated with PCBs at concentrations greater than 1 mg/kg and lower than 50 mg/kg are not regulated under TSCA. The Aspire application states that: *"In addition, soil will be transported for off-site disposal as a non-TSCA waste (PCB concentrations greater than 1 mg/kg but less than 50 mg/kg)."*

Contaminated soils are bulk PCB remediation wastes and regulated for disposal under TSCA regardless the TSCA cleanup is being conducted under the self- implementing (40 CFR 761.61(a)) or risk-based disposal approval (40 CFR 761.61(c)) sections of the TSCA regulations. See 40 CFR 761.61(a)(5)(i)(B), (B)(1), (B)(2)(ii) and 40 CFR 761.61(a)(5)(v)(a) concerning off-site disposal of bulk PCB remediation waste with a PCB concentration below 50 mg/kg.

Within 30 days after the date of this message please submit copies of the documents related to the transportation and off-site disposal of bulk PCB remediation wastes (containing PCBs at less than 50 mg/kg) demonstrating such waste was properly identified as TSCA regulated and disposed off-site in accordance with the regulations cited above. In addition, the in-situ soil PCB concentration should have been used to determine the PCB concentration for off-site disposal and not the PCB concentration of soils after excavation and staged in a pile.

If you have any questions concerning this message, please call me at 415.972.3360.

I thank you for your courtesies.

Sincerely,

Carmen D. Santos, Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

Invitation: Aspire School Oakland, CA Project Status Update

Tue 03/02/2010 10:30 AM - 11:30 AM
Attendance is **required** for Carmen Santos
Chair: **Ron.Goloubow@arcadis-us.com**
Location: Conference Call

"Goloubow, Ron"	Ron.Goloubow has invited you to a meeting. You have not yet responded.
Required:	Carmen Santos/R9/USEPA/US, Patrick Wilson/R9/USEPA/US, paresh.khatri@acgov.org, charles@pacificcharter.org, Steph.Wilson@aspirepublicschools.org, Mike.Barr@aspirepublicschools.org, Alan.Gibbs@arcadis-us.com,
Time zones:	This entry was created in a different time zone. The time in that time zone is: Tue 03/02/2010 11:30 AM MST - 12:30 PM MST

Description

When: Tuesday, March 02, 2010 10:30 AM-11:30 AM (GMT-08:00) Pacific Time (US & Canada).
Where: Conference Call

Note: The GMT offset above does not reflect daylight saving time adjustments.

~~*~*~*~*~*~*~*~*~*

The purpose of this conference call is to go over the analytical results for confirmation soil samples that have been collected at the Site, data analysis (including methods), and site mitigation in context to the PCBs. As presented by Carmen at the EPA, the cleanup level for PCBs is a cumulative risk-based cleanup level that in addition to PCBs addresses other constituents of concern (e.g., arsenic, lead) at the Site. Given the nature of the cleanup level, USEPA believes that a discussion on the PCB data may also involve a discussion on the other contaminants at the Site.

I will distribute updated draft figures (maps) presenting the locations confirmation soil samples and data tables summarizing the analytical results for the confirmation soil samples that will represent the concentrations of PCBs, lead, and arsenic that is in place after the excavation activities. Due to the rain events, the excavation(s) in the northern portion of the property have not yet been backfilled.

If you have any questions in the interim please contact me.

Call in number: 800-406-9170
Conference ID: 666-598-1298

Ron.

RE: Aspire - Oakland, CA
Carmen Santos to: Goloubow, Ron 02/22/2010 10:52 AM
Cc: Patrick Wilson
Bcc: Steve Armann

Hello, Ron:

Thank you for suggesting a day and time for a conference call concerning the Aspire site in Oakland . Today is not a good day for me to have that conference call. Patrick is out of the office this week, however, you and I could meet via conference call this week after you have a chance to review this message . I am available on February 23 and 24, 2010 after 10:00 AM and before 4:00 PM.

Patrick and I have done a cursory review of the PCB risk-based application that you submitted on January 14, 2010 via e-mail message and need the information requested below to complete processing the application.

- Please confirm if Aspire has completed all the soil remediation and soil cleanup verification sampling at the Aspire site in Oakland (1009 66th Avenue).

- For excavation areas where PCBs are above the PCB cleanup level, please explain what are the next steps for these areas.

- Please explain if properties adjacent to two Aspire property boundaries are affected by PCB contaminated soils that Aspire claims are not accessible for excavation . What is the PCB concentration of these soils?

- Based on the January 14, 2010 risk-based application, soil cleanup verification samples have been collected and analyzed for Excavation Areas 1 through 4. As requested previously (December 16, 2009 conference call, December 11, 14, and 18, 2010 e-mail messages), please submit for review the analysis of residual PCB concentrations in soils demonstrating the 0.13 mg/kg PCB cleanup level has been achieved at the Aspire site. In addition, submit the PCB concentration of PCB-contaminated soils not accessible for excavation. The PCB concentration of these soils should be included in the analysis of residual PCB concentrations expected to remain at the site.

I thank you for your courtesies and look forward to your reply.

Sincerely,

Carmen D. Santos, Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

"Goloubow, Ron" I have meeting at 9:30 this AM and should be ba... 02/22/2010 07:29:34 AM

From: "Goloubow, Ron" <Ron.Goloubow@arcadis-us.com>
To: Carmen Santos/R9/USEPA/US@EPA
Cc: Patrick Wilson/R9/USEPA/US@EPA
Date: 02/22/2010 07:29 AM
Subject: RE: Aspire - Oakland, CA

I have meeting at 9:30 this AM and should be back in the office by 12:00 noon. Can we have a

telephone conversation at 1:30?

Thanks Ron.

Ron Goloubow, PG | Senior Associate Geologist | **ron.goloubow@arcadis-us.com**
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www.arcadis-us.com

From: Santos.Carmen@epamail.epa.gov [mailto:Santos.Carmen@epamail.epa.gov]
Sent: Friday, February 19, 2010 4:28 PM
To: Goloubow, Ron
Cc: Wilson.Patrick@epamail.epa.gov
Subject: RE: Aspire - Oakland, CA

Hello, Ron:

Patrick and I have completed our review of the January 14, 2010 risk-based application. I have some questions and will call you next week.

Thank you.

Regards,

Carmen D. Santos, Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

From:	"Goloubow, Ron" <Ron.Goloubow@arcadis-us.com>
To:	Carmen Santos/R9/USEPA/US@EPA
Date:	02/17/2010 03:33 PM
Subject:	RE: Aspire - Oakland, CA

Hi Carmen I am checking to see what the schedule is for the review of the request to change the remedial approach from a Self-Implementing Cleanup Plan (SICP) to a Risk-Based Cleanup Plan (RBCP).

Thanks for your help.

Ron.

Ron Goloubow, PG | Senior Associate Geologist | **ron.goloubow@arcadis-us.com**
ARCADIS U.S., Inc. | 1900 Powell Street, Suite 1200 | Emeryville, CA 94608

T. 510.596.9550 | M. 510.501-1789 | F. 510.652.2246
www.arcadis-us.com

From: Goloubow, Ron
Sent: Thursday, January 14, 2010 10:56 AM
To: 'Santos.Carmen@epamail.epa.gov'
Cc: Gibbs, Alan; Goldberg Day, Amy; charles@pacificcharter.org; Mike.Barr@aspirepublicschools.org; Annie.Bauer@aspirepublicschools.org; Wilson.Patrick@epamail.epa.gov; paresh.khatri@acgov.org; MMalinow@dtsc.ca.gov
Subject: Aspire - Oakland, CA - Follow Up to December 10 and 16, 2009 Conference Calls - Cleanup Level and Risk-Based Disposal Approval Application

Carmen and others - attached is the request to change the remedial approach from a Self-Implementing Cleanup Plan (SICP) to a Risk-Based Cleanup Plan (RBCP). Carmen, I will contact you early next week to determine the EPA's schedule regarding the review of the attached letter. Thanks in advance for your prompt attention to this matter and as always please feel free to contact me should you have any questions or concerns regarding this project.

Ron.

Ron Goloubow, PG | Senior Associate Geologist | **ron.goloubow@arcadis-us.com**
ARCADIS U.S., Inc. | 1900 Powell Street, Suite 1200 | Emeryville, CA 94608
T. 510.596.9550 | M. 510.501-1789 | F. 510.652.2246
www.arcadis-us.com

From: Santos.Carmen@epamail.epa.gov [mailto:Santos.Carmen@epamail.epa.gov]
Sent: Friday, December 18, 2009 11:31 AM
To: Goloubow, Ron
Cc: Gibbs, Alan; Goldberg Day, Amy; charles@pacificcharter.org; Mike.Barr@aspirepublicschools.org; Annie.Bauer@aspirepublicschools.org; Wilson.Patrick@epamail.epa.gov; paresh.khatri@acgov.org; MMalinow@dtsc.ca.gov
Subject: PCBs - Aspire Site: Follow Up to December 10 and 16, 2009 Conference Calls - Cleanup Level and Risk-Based Disposal Approval Application
Importance: High

Dear Ron Goloubow:

We had a conference call with you on December 16, 2009 to answer questions that LFR had on USEPA's reply to LFR's December 11, 2009 message (which is included at the end of the attached message string). During that conference call, USEPA clarified that under the self-implementing PCB cleanup option individual cleanup verification samples must meet for PCBs the cleanup level of 0.13 ppm. Under the self-implementing cleanup option, cleanup levels for PCBs are met based on comparison of in-situ soil verification sampling data to the cleanup level and not on statistical analysis of the data. LFR / Aspire may consider applying for a risk-based disposal approval for the PCB cleanup at the Aspire site in Oakland. If this option is elected, LFR / Aspire need to submit a letter to USEPA explaining why LFR / Aspire want now to conduct the PCB cleanup under the risk-based cleanup option (40 CFR 761.61(c)) instead of under the PCB self-implementing cleanup plan (40 CFR 761.61(a)) that USEPA conditionally approved on November 13, 2009. We explained that in accordance with 40 CFR 761.61(c), LFR / Aspire must obtain USEPA's approval of such risk-based disposal application before beginning the PCB cleanup. Further, given a school has been proposed to be built at the Aspire site in Oakland and that ACDEH has approved a cleanup

plan with a cumulative risk-based cleanup level of 0.13 ppm, EPA has requested that LFR / Aspire's PCB risk-based cleanup application be consistent with the EPA TSCA PCB regulatory requirements, DTSC School Program requirements, and ACDEH requirements.

As explained during the conference call, under the risk-based PCB cleanup option, the party conducting the cleanup can propose cleanup verification sampling and data handling procedures different than those required in the PCB self-implementing option to demonstrate compliance with the cleanup level (see 40 CFR 761.61(c)). The LFR risk-based cleanup plan must include all the information already submitted by LFR in its self-implementing PCB cleanup notification (including the written, signed certification) and all risk-based calculations used to derive the 0.13 ppm cleanup level (see 40 CFR 761.61(c)). In addition to PCBs, the cleanup level should encompass all the other contaminants found at the site. In addition, the LFR / Aspire risk-based cleanup application must include all the information we requested in our December 14, 2009 electronic message sent to you at 10:38 AM. The application must include all the calculations that LFR / Aspire will apply in the evaluation of cleanup verification data to demonstrate the 0.13 ppm cleanup level has been met for PCBs and all other contaminants at the site.

USEPA will make its best efforts to expedite review and approval of the application. The completeness and quality of the application, however, will facilitate an expedited review provided we do not encounter any emergencies at other sites.

Please call me if you have any questions concerning this message.

I thank you for your courtesies and wish you a happy and safe Holiday Season.

Sincerely,

Carmen D. Santos, Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

-----Forwarded by Carmen Santos/R9/USEPA/US on 12/18/2009 10:50AM -----
To: "Goloubow, Ron" <Ron.Goloubow@lfr.com>
From: Carmen Santos/R9/USEPA/US
Date: 12/14/2009 10:38AM
cc: "Gibbs, Alan" <Alan.Gibbs@lfr.com>, "Goldberg Day, Amy" <Amy.GoldbergDay@lfr.com>, Charles Robitaille <charles@pacificcharter.org>, Mike Barr <Mike.Barr@aspirepublicschools.org>, Annie Bauer <Annie.Bauer@aspirepublicschools.org>, Patrick Wilson/R9/USEPA/US@EPA
Subject: Re: FW: PCBs - Aspire Site, Follow Up to December 10, 2009 Conference Call

Dear Ron Goloubow:

This message reiterates our request for the information that we asked in the December 11, 2009 message (sent to you at 12:02 PM). The use and application of the Agency's Pro-UCL statistical package to support data analysis is consistent with current Agency risk assessment guidance. The use of the Pro-UCL package however, does not mitigate Aspire's

responsibility to provide the additional risk assessment supporting information that was contained in my previous message to you. That is, a comprehensive and site-wide conceptual site model (CSM), and the supporting risk assessment exposure and risk characterization equations - in addition to the equation inputs - will be necessary for EPA to complete a timely review.

In addition, samples with contaminant concentrations less than the laboratory detection or reporting limit(s) should be managed consistent with the guidelines found in the Pro-UCL support guidance. That is, the statistical package will conduct an evaluation of the entire data set to determine its statistical distribution. A distribution-specific upper confidence limit on the mean (UCLm) will then be reported and should then be used as the exposure point concentration (EPC) in support of risk characterization. Pro-UCL will use boot-strap and other statistical methods to approximate the most appropriate concentration value to be substituted for those samples with PCB concentrations less than the laboratory reporting or detection limit. Therefore, the substitution of non-detect sample results with the reporting limit is not the recommended approach.

We look forward to receiving the requested information.

Thank you for your courtesies.

Sincerely,

Carmen D. Santos, Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

"Goloubow, Ron" ---12/11/2009 02:28:17 PM---Per our conversation yesterday, LFR is in the process of applying the 95% upper confidence level sta

From: "Goloubow, Ron" <Ron.Goloubow@lfr.com>

To: Carmen Santos/R9/USEPA/US@EPA, Patrick Wilson/R9/USEPA/US@EPA, "Khatri, Paresh, Env. Health" <paresh.khatri@acgov.org>, Mark Malinowski <MMalinow@dtsc.ca.gov>

Cc: "Gibbs, Alan" <Alan.Gibbs@lfr.com>, "Goldberg Day, Amy" <Amy.GoldbergDay@lfr.com>, Charles Robitaille <charles@pacificcharter.org>, Mike Barr <Mike.Barr@aspirepublicschools.org>, Annie Bauer <Annie.Bauer@aspirepublicschools.org>

Date: 12/11/2009 02:28 PM

Subject: FW: PCBs - Aspire Site, Follow Up to December 10, 2009 Conference Call

Per our conversation yesterday, LFR is in the process of applying the 95% upper confidence level statistical analysis (95-UCL) to the analytical data for the soil samples that contain PCBs greater than 0.13 mg/kg and less than 0.39 mg/kg that would remain in soil at the Site. For samples that have less than the laboratory reporting limit we are planning to use the laboratory reporting limit as a concentration of PCBs that are left in place at that particular location. The US EPA statistical software ProUCL will be used to calculate the 95% UCL.

If this analysis determines that the 95-UCL is ≤0.13 mg/kg for soil across the Site would this analysis provide the data required to deem the removal action as successful ?

Please let me know.

Ron Goloubow, P.G.
LFR Inc., an ARCADIS Company
510-596-9550 Direct Dial
510-501-1789 Cell
510-652-4906 Facsimile
ron.goloubow@lfr.com

From: Santos.Carmen@epamail.epa.gov [mailto:Santos.Carmen@epamail.epa.gov]
Sent: Friday, December 11, 2009 12:02 PM
To: Goloubow, Ron; Gibbs, Alan
Cc: Annie Bauer; Mike Barr; Mark Malinowski; Khatri, Paresh, Env. Health; Charles Robitaille; Wilson.Patrick@epamail.epa.gov
Subject: PCBs - Aspire Site, Follow Up to December 10, 2009 Conference Call

Dear Ron Goloubow and Alan Gibbs:

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I want to clarify that if Aspire decides to propose a different cleanup level, that Aspire may make such proposal via an amendment to the current self-implementing cleanup notification as long as: (1) all exposure assessment and risk characterization calculations and inputs, a site-wide conceptual site model (CSM), and all supporting justifications are submitted to USEPA for review and approval, (2) the proposed PCB risk-based cleanup level does not increase the site-wide cumulative risk or hazard of applicable contaminants at the site beyond a risk range acceptable to ACDH, DTSC School Program, and USEPA, and (3) ACDH, DTSC's School Program, and USEPA agree that the proposed cleanup level is adequate and protective.

Please call me if you have any questions concerning this follow up message.

Thank you for your courtesies and have a nice day.

Sincerely,

Carmen D. Santos, Project Manager

RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

PCBs: Aspire Site in Oakland (1009 66th Avenue)
Carmen Santos to: Ron.Goloubow 02/22/2010 12:27 PM
Cc: Christopher Rollins
Bcc: Steve Armann

Greetings, Ron:

This message is concerning the application dated January 14, 2010.

I want to provide a clarification on the issue of disposal of PCB remediation waste , since we have cited the regulations for disposal in several previous occasions . This message also request specific information concerning off-site disposal of PCB remediation waste.

In reviewing the application, it seems that LFR-ARCADIS / Aspire believe that soils contaminated with PCBs at concentrations greater than 1 mg/kg and lower than 50 mg/kg are not regulated under TSCA. The Aspire application states that: *"In addition, soil will be transported for off-site disposal as a non-TSCA waste (PCB concentrations greater than 1 mg/kg but less than 50 mg/kg)."*

Contaminated soils are bulk PCB remediation wastes and regulated for disposal under TSCA regardless the TSCA cleanup is being conducted under the self- implementing (40 CFR 761.61(a)) or risk-based disposal approval (40 CFR 761.61(c)) sections of the TSCA regulations. See 40 CFR 761.61(a)(5)(i)(B), (B)(1), (B)(2)(ii) and 40 CFR 761.61(a)(5)(v)(a) concerning off-site disposal of bulk PCB remediation waste with a PCB concentration below 50 mg/kg.

Within 30 days after the date of this message please submit copies of the documents related to the transportation and off-site disposal of bulk PCB remediation wastes (containing PCBs at less than 50 mg/kg) demonstrating such waste was properly identified as TSCA regulated and disposed off-site in accordance with the regulations cited above. In addition, the in-situ soil PCB concentration should have been used to determine the PCB concentration for off-site disposal and not the PCB concentration of soils after excavation and staged in a pile.

If you have any questions concerning this message, please call me at 415.972.3360.

I thank you for your courtesies.

Sincerely,

Carmen D. Santos, Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

PCBs - Aspire Site: Follow Up to December 10 and 16, 2009 Conference Calls - Cleanup Level and Risk-Based Disposal Approval Application
Carmen Santos
to:
Ron.Goloubow
12/18/2009 11:30 AM
Cc:
Alan.Gibbs, Amy.GoldbergDay, charles, Mike.Barr, Annie.Bauer, Patrick Wilson, paresh.khatri, MMalinow
Bcc:
armann.steve
Show Details

Security:

Some images were prevented from loading. Show Images

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-----Forwarded by Carmen Santos/R9/USEPA/US on 12/18/2009 10:50AM -----

To: "Goloubow, Ron" <Ron.Goloubow@lfr.com>
From: Carmen Santos/R9/USEPA/US
Date: 12/14/2009 10:38AM
cc: "Gibbs, Alan" <Alan.Gibbs@lfr.com>, "Goldberg Day, Amy" <Amy.GoldbergDay@lfr.com>, Charles Robitaille <charles@pacificcharter.org>, Mike Barr <Mike.Barr@aspirepublicschools.org>, Annie Bauer <Annie.Bauer@aspirepublicschools.org>, Patrick Wilson/R9/USEPA/US@EPA
Subject: Re: FW: PCBs - Aspire Site, Follow Up to December 10, 2009 Conference Call

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To:	Carmen Santos/R9/USEPA/US@EPA, Patrick Wilson/R9/USEPA/US@EPA, "Khatri, Paresh, Env. Health" <paresh.khatri@acgov.org>, Mark Malinowski <MMalinow@dtsc.ca.gov>
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Ron Goloubow, P.G.
LFR Inc., an ARCADIS Company
510-596-9550 Direct Dial
510-501-1789 Cell
510-652-4906 Facsimile
ron.goloubow@lfr.com

From: Santos.Carmen@epamail.epa.gov [mailto:Santos.Carmen@epamail.epa.gov]
Sent: Friday, December 11, 2009 12:02 PM
To: Goloubow, Ron; Gibbs, Alan
Cc: Annie Bauer; Mike Barr; Mark Malinowski; Khatri, Paresh, Env. Health; Charles Robitaille; Wilson.Patrick@epamail.epa.gov
Subject: PCBs - Aspire Site, Follow Up to December 10, 2009 Conference Call

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Please call me if you have any questions concerning this follow up message.

Thank you for your courtesies and have a nice day.

Sincerely,

Carmen D. Santos, Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

Fw: Aspire - Oakland, CA - Follow Up to December 10 and 16, 2009 Conference Calls - Cleanup Level and Risk-Based Disposal Approval Application

Carmen Santos to: Ron.Goloubow 01/29/2010 05:07 PM

Cc: Alan.Gibbs, Amy.GoldbergDay, Annie.Bauer, charles, Mike.Barr, MMalinow, paresh.khatri, Patrick Wilson

Bcc: Steve Armann

Hello, Ron:

My apologies for sending to myself a message intended for you with copies to all the usual addressees . Forwarded below is the message that was intended for you. Thank you and sorry for the confusion.

Regards,

Carmen D. Santos, Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

----- Forwarded by Carmen Santos/R9/USEPA/US on 01/29/2010 05:01 PM -----

From:	Carmen Santos/R9/USEPA/US
To:	Carmen Santos/R9/USEPA/US@EPA
Cc:	"Gibbs, Alan" <Alan.Gibbs@lfr.com>, "Goldberg Day, Amy" <Amy.GoldbergDay@lfr.com>, "Annie.Bauer@aspirepublicschools.org" <Annie.Bauer@aspirepublicschools.org>, "charles@pacificcharter.org" <charles@pacificcharter.org>, "Mike.Barr@aspirepublicschools.org" <Mike.Barr@aspirepublicschools.org>, "MMalinow@dtsc.ca.gov" <MMalinow@dtsc.ca.gov>, "paresh.khatri@acgov.org" <paresh.khatri@acgov.org>, Patrick Wilson/R9/USEPA/US@EPA, "Goloubow, Ron" <Ron.Goloubow@lfr.com>
Date:	01/29/2010 04:59 PM
Subject:	Re: Aspire - Oakland, CA - Follow Up to December 10 and 16, 2009 Conference Calls - Cleanup Level and Risk-Based Disposal Approval Application

Hello, Ron:

I got your voice message inquiring about the status of USEPA's review of the Aspire PCB risk-based disposal approval application (PCB cleanup under 40 CFR 761.61(c)). Please refer to my January 21, 2010 message, attached below, regarding USEPA's time frame to issue its approval.

Thank you for your courtesies.

Regards,

Carmen D. Santos, Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

Carmen Santos Dear Ron Goloubow: Thank you for submitting... 01/21/2010 04:22:16 PM

From:	Carmen Santos/R9/USEPA/US
To:	"Goloubow, Ron" <Ron.Goloubow@lfr.com>

Cc:	"Gibbs, Alan" <Alan.Gibbs@lfr.com>, "Goldberg Day, Amy" <Amy.GoldbergDay@lfr.com>, "charles@pacificcharter.org" <charles@pacificcharter.org>, "Mike.Barr@aspirepublicschools.org" <Mike.Barr@aspirepublicschools.org>, "Annie.Bauer@aspirepublicschools.org" <Annie.Bauer@aspirepublicschools.org>, Patrick Wilson/R9/USEPA/US@EPA, "paresh.khatri@acgov.org" <paresh.khatri@acgov.org>, "MMalinow@dtsc.ca.gov" <MMalinow@dtsc.ca.gov>
Date:	01/21/2010 04:22 PM
Subject:	Re: Aspire - Oakland, CA - Follow Up to December 10 and 16, 2009 Conference Calls - Cleanup Level and Risk-Based Disposal Approval Application

Dear Ron Goloubow:

Thank you for submitting on behalf of Aspire a request to conduct the PCB cleanup at the Aspire property in Oakland under the Toxic Substances Control Act risk-based disposal approval regulations (40 CFR 761.61(c)) instead of in accordance with Aspire's self-implementing cleanup plan that USEPA approved on November 13, 2009 under 40 CFR 761.61(a) (self implementing cleanup notification).

In response to your message and recent voice message, USEPA will make its best effort to review the subject "Cleanup Level and Risk-Based Disposal Approval Application" (Application) at the earliest by mid February 2010. Given the volume and equal high priority of several other projects, we are not able to commit to a shorter review time. We will contact you if we have questions or issues concerning the Application that you sent.

Please call me if you have any questions concerning this message.

Thank you for your courtesies and patience.

Sincerely,

Carmen D. Santos, Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

-----"Goloubow, Ron" <Ron.Goloubow@lfr.com> wrote: -----

To: Carmen Santos/R9/USEPA/US@EPA
From: "Goloubow, Ron" <Ron.Goloubow@lfr.com>
Date: 01/14/2010 10:56AM
cc: "Gibbs, Alan" <Alan.Gibbs@lfr.com>, "Goldberg Day, Amy" <Amy.GoldbergDay@lfr.com>, "charles@pacificcharter.org" <charles@pacificcharter.org>, "Mike.Barr@aspirepublicschools.org" <Mike.Barr@aspirepublicschools.org>, "Annie.Bauer@aspirepublicschools.org" <Annie.Bauer@aspirepublicschools.org>, Patrick Wilson/R9/USEPA/US@EPA, "paresh.khatri@acgov.org" <paresh.khatri@acgov.org>, "MMalinow@dtsc.ca.gov" <MMalinow@dtsc.ca.gov>
Subject: Aspire - Oakland, CA - Follow Up to December 10 and 16, 2009 Conference Calls - Cleanup Level and Risk-Based Disposal Approval Application

Carmen and others - attached is the request to change the remedial approach from a Self-Implementing Cleanup Plan (SICP) to a Risk-Based Cleanup Plan (RBCP). Carmen, I will contact you early next week to determine the EPA's schedule regarding the review of the attached letter. Thanks in advance for your prompt attention to this matter and as always please feel free to contact me should you have any questions or concerns regarding this project.

conducting the cleanup can propose cleanup verification sampling and data handling procedures different than those required in the PCB self-implementing option to demonstrate compliance with the cleanup level (see 40 CFR 761.61(c)). The LFR risk-based cleanup plan must include all the information already submitted by LFR in its self-implementing PCB cleanup notification (including the written, signed certification) and all risk-based calculations used to derive the 0.13 ppm cleanup level (see 40 CFR 761.61(c)). In addition to PCBs, the cleanup level should encompass all the other contaminants found at the site. In addition, the LFR / Aspire risk-based cleanup application must include all the information we requested in our December 14, 2009 electronic message sent to you at 10:38 AM. The application must include all the calculations that LFR / Aspire will apply in the evaluation of cleanup verification data to demonstrate the 0.13 ppm cleanup level has been met for PCBs and all other contaminants at the site.

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To: Carmen Santos/R9/USEPA/US@EPA, Patrick Wilson/R9/USEPA/US@EPA, "Khatri, Paresh, Env. Health" <paresh.khatri@acgov.org>, Mark Malinowski <MMalinow@dtsc.ca.gov>

Cc: "Gibbs, Alan" <Alan.Gibbs@lfr.com>, "Goldberg Day, Amy" <Amy.GoldbergDay@lfr.com>, Charles Robitaille <charles@pacificcharter.org>, Mike Barr <Mike.Barr@aspirepublicschools.org>, Annie Bauer <Annie.Bauer@aspirepublicschools.org>

Date: 12/11/2009 02:28 PM

Subject: FW: PCBs - Aspire Site, Follow Up to December 10, 2009 Conference Call

Per our conversation yesterday, LFR is in the process of applying the 95% upper confidence level statistical analysis (95-UCL) to the analytical data for the soil samples that contain PCBs greater than 0.13 mg/kg and less than 0.39 mg/kg that would remain in soil at the Site. For samples that have less than the laboratory reporting limit we are planning to use the laboratory reporting limit as a concentration of PCBs that are left in place at that particular location. The US EPA statistical software ProUCL will be used to calculate the 95% UCL.

If this analysis determines that the 95-UCL is ≤0.13 mg/kg for soil across the Site would this analysis provide the data required to deem the removal action as successful?

Please let me know.

Ron Goloubow, P.G.
LFR Inc., an ARCADIS Company
510-596-9550 Direct Dial
510-501-1789 Cell
510-652-4906 Facsimile
ron.goloubow@lfr.com
From: Santos.Carmen@epamail.epa.gov [mailto:Santos.Carmen@epamail.epa.gov]
Sent: Friday, December 11, 2009 12:02 PM
To: Goloubow, Ron; Gibbs, Alan
Cc: Annie Bauer; Mike Barr; Mark Malinowski; Khatri, Paresh, Env. Health; Charles Robitaille; Wilson.Patrick@epamail.epa.gov
Subject: PCBs - Aspire Site, Follow Up to December 10, 2009 Conference Call

Dear Ron Goloubow and Alan Gibbs:

I am following up on the issue of Aspire continuing with the conditionally-approved PCB self-implementing cleanup notification rather than submitting a PCB risk-based disposal approval. Our November 13, 2009 conditional approval letter establishes a cleanup goal for PCBs of 0.13 mg/kg (total Aroclors) for the Aspire school site in Oakland - a level consistent with the cleanup goal proposed in your corrective action plan and a concentration previously approved by the Alameda County Department of Health (ACDH).

I want to clarify that if Aspire decides to propose a different cleanup level, that Aspire may make such proposal via an amendment to the current self-implementing cleanup notification as long as: (1) all exposure assessment and risk characterization calculations and inputs, a site-wide conceptual site model (CSM), and all supporting justifications are submitted to USEPA for review and approval, (2) the proposed PCB risk-based cleanup level does not increase the site-wide cumulative risk or hazard of applicable contaminants at the site beyond a risk range acceptable to ACDH, DTSC School Program, and USEPA, and (3) ACDH, DTSC's School Program, and USEPA agree that the proposed cleanup level is adequate and protective.

Please call me if you have any questions concerning this follow up message.

Thank you for your courtesies and have a nice day.

Sincerely,

Carmen D. Santos, Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

Re: FW: PCBs - Aspire Site, Follow Up to December 10, 2009 Conference Call

Carmen Santos to: Goloubow, Ron — 12/14/2009 10:38 AM

Cc: "Gibbs, Alan", "Goldberg Day, Amy", Charles Robitaille, Mike Barr, Annie Bauer, Patrick Wilson

Bcc: Steve Armann

Dear Ron Goloubow:

This message reiterates our request for the information that we asked in the December 11, 2009 message (sent to you at 12:02 PM). The use and application of the Agency's Pro-UCL statistical package to support data analysis is consistent with current Agency risk assessment guidance . The use of the Pro-UCL package however, does not mitigate Aspire's responsibility to provide the additional risk assessment supporting information that was contained in my previous message to you . That is, a comprehensive and site-wide conceptual site model (CSM), and the supporting risk assessment exposure and risk characterization equations - in addition to the equation inputs - will be necessary for EPA to complete a timely review.

In addition, samples with contaminant concentrations less than the laboratory detection or reporting limit(s) should be managed consistent with the guidelines found in the Pro-UCL support guidance. That is, the statistical package will conduct an evaluation of the entire data set to determine its statistical distribution. A distribution-specific upper confidence limit on the mean (UCLm) will then be reported and should then be used as the exposure point concentration (EPC) in support of risk characterization. Pro-UCL will use boot-strap and other statistical methods to approximate the most appropriate concentration value to be substituted for those samples with PCB concentrations less than the laboratory reporting or detection limit. Therefore, the substitution of non-detect sample results with the reporting limit is not the recommended approach.

We look forward to receiving the requested information.

Thank you for your courtesies.

Sincerely,

Carmen D. Santos, Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

"Goloubow, Ron" ---12/11/2009 02:28:17 PM---Per our conversation yesterday, LFR is in the process of applying the 95% upper confidence level sta

From: "Goloubow, Ron" <Ron.Goloubow@lfr.com>

To: Carmen Santos/R9/USEPA/US@EPA, Patrick Wilson/R9/USEPA/US@EPA, "Khatri, Paresh, Env. Health" <paresh.khatri@acgov.org>, Mark Malinowski <MMalinow@dtsc.ca.gov>

Cc: "Gibbs, Alan" <Alan.Gibbs@lfr.com>, "Goldberg Day, Amy" <Amy.GoldbergDay@lfr.com>, Charles

Robitaille <charles@pacificcharter.org>, Mike Barr <Mike.Barr@aspirepublicschools.org>, Annie Bauer <Annie.Bauer@aspirepublicschools.org>

Date: 12/11/2009 02:28 PM

Subject: FW: PCBs - Aspire Site, Follow Up to December 10, 2009 Conference Call

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Ron Goloubow, P.G.
LFR Inc., an ARCADIS Company
510-596-9550 Direct Dial
510-501-1789 Cell
510-652-4906 Facsimile
ron.goloubow@lfr.com

From: Santos.Carmen@epamail.epa.gov [mailto:Santos.Carmen@epamail.epa.gov]
Sent: Friday, December 11, 2009 12:02 PM
To: Goloubow, Ron; Gibbs, Alan
Cc: Annie Bauer; Mike Barr; Mark Malinowski; Khatri, Paresh, Env. Health; Charles Robitaille; Wilson.Patrick@epamail.epa.gov
Subject: PCBs - Aspire Site, Follow Up to December 10, 2009 Conference Call

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Please call me if you have any questions concerning this follow up message.

Thank you for your courtesies and have a nice day.

Sincerely,

Carmen D. Santos, Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

PCBs - Aspire Site, Follow Up to December 10, 2009 Conference Call

Carmen Santos to: Goloubow, Ron, Gibbs, Alan 12/11/2009 12:02 PM

Cc: Annie Bauer, Mike Barr, "Mark Malinowski", "Khatri, Paresh, Env. Health", Charles Robitaille, Patrick Wilson

Bcc: Steve Armann

Dear Ron Goloubow and Alan Gibbs:

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Sincerely,

Carmen D. Santos, Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

FW: 66th Ave Ownership
Gibbs, Alan
to:
Carmen Santos
10/30/2009 10:56 AM
Cc:
"Goloubow, Ron"
Show Details

Here is the information you requested.

From: Charles Robitaille [mailto:charles@pacificcharter.org]
Sent: Friday, October 30, 2009 10:44 AM
To: Gibbs, Alan
Subject: 66th Ave Ownership

The owner of the 66th Avenue property is:

Aspire Public Schools, a California non-profit public benefit corporation
1001 22nd Avenue, Suite 100
Oakland, California 94606
ATTN: Mike Barr, CFO

Charles P. Robitaille
Senior Project Manager
Pacific Charter School Development
2350 El Camino Avenue
Sacramento, California 95821-5689
925-698-1118 - Cell
916-941-2477 - Facsimile
charles@pacificcharter.org
www.pacificcharter.org

1009 66th Ave. Oakland, CA Self-Implementing Cleanup Plan
Goloubow, Ron
to:
Carmen Santos, Patrick Wilson
10/23/2009 04:01 PM
Cc:
"Gibbs, Alan", "Seyfried, Scott", "Goloubow, Ron", "Jones, Michael", Charles Robitaille
Show Details

In preparation of our meeting on Tuesday afternoon please find the Self-Implementing Cleanup Plan for the subject Site. As we discussed, LFR anticipates initiating this cleanup on a "fast track" schedule to meet the client's loan and construction milestones, which are less than 30 days after submittal of this notification.

We here at LFR and Aspire Charter Schools appreciate your time assisting us with our accelerated schedule and look forward to meeting with you on Tuesday. If you have any questions or need any more information prior to our meeting please do not hesitate to contact me.

Ron.

Ron Goloubow, P.G.
Senior Associate Geologist
LFR Inc., an ARCADIS Company
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LFR an ARCADIS company

October 23, 2009

003-09155-02-002

Ms. Carmen Santos
U.S. Environmental Protection Agency, Region 9
Mail Code WST-5
75 Hawthorne Street
San Francisco, CA 94105

Subject: Toxic Substance Control Act Self-Implementing Cleanup Notification and Certification
Former Pacific Electric Motors Facility 1009 66th Avenue in Oakland, California

Dear Ms. Santos:

LFR Inc., an Arcadis Company (LFR) has prepared this letter on behalf of the property owner, Aspire Public Schools (Aspire) , to provide the U.S. Environmental Protection Agency (USEPA) with the required notification for a Self-Implementing Cleanup Plan (SICP) to be conducted at the former Pacific Electric Motors Facility 1009 66th Avenue in Oakland, California (the "Site", Figure 1). As we discussed, LFR anticipates initiating this cleanup on a "fast track" plan to meet the client's loan and construction milestones, which are less than 30 days after submittal of this notification.

This work is being conducted under the regulatory oversight of the Alameda County Environmental Health Department (ACEH) in accordance with the Revised Corrective Action Plan, Proposed Aspire High School Site, 1009 66th Avenue, Oakland, California (Fuel Leak Case No. RO0000411; the "CAP") submitted to the ACEH on July 17, 2009. The CAP was approved by ACEH in their letter to Aspire dated August 13, 2009.

Please note that the proposed remediation for this Site does not include clean up of surface or groundwater, sediments in marine and freshwater ecosystems, sewers or sewage treatment systems, any private or public drinking water sources or distribution systems, grazing lands, or vegetable gardens.

This SICP has been prepared in accordance with 40 Code of Federal Regulations (CFR) 761.61(a) and provides a plan for removal and disposal of polychlorinated biphenyls (PCBs) identified during site investigations conducted in 2006 and 2007. The technical approach detailed in this SICP includes the following:

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- Conducting pre-clean up characterization
- Removal and off-site disposal of soil containing greater than 0.39 milligram per kilogram (mg/kg) PCBs to an estimated depth of 3 to 5 feet below ground surface (bgs).
- Removal and off-site disposal of PCB-affected concrete
- Collecting confirmation soil samples for the analysis of PCBs
- Backfilling the areas of excavation with imported fill

As discussed during the conference call between representatives of EPA and LFR on October 19, 2009, this approach is consistent with Toxic Substance Control Act (TSCA) requirements under 40 CFR Part 761 and is fully protective of human health and the environment. In addition, removing soils that contain greater than 0.39 mg/kg PCBs and backfilling the excavations with imported soil will allow for the planned redevelopment of the Site as a school.

BACKGROUND

On behalf of Aspire, LFR is currently working under the oversight of the ACEH and previously under the oversight of the California Environmental Protection Agency's Department of Toxic Substances Control (DTSC) to investigate and remediate a site with historical industrial land use. Following the implementation of the approved CAP, the Site will be redeveloped into a charter high school. Portions of the CAP, including remediation of petroleum-affected groundwater have been implemented. In order to meet financial and construction milestones for the redevelopment project, LFR plans to initiate ~~remediation~~ the remediation of soil described ~~in this~~ in this letter in early November 2009. A detailed presentation of the site conditions and the context of the remedial action proposed for this Site is presented in the CAP.

As part of the investigation and risk assessment activities, a number of chemicals of concern (COCs) were identified, including total petroleum hydrocarbons as gasoline (TPHg), benzene, toluene, ethylbenzene, and total xylenes (BTEX), semivolatile organic compounds (SVOCs), metals, and PCBs. The PCBs detected in soil samples collected at the Site were likely associated Pacific Electric Motors' operations during the time when they owned the property during the years of 1948 to 2001. Results of previous soil characterization has indicated that a small portion of PCB-affected soils at the Site may constitute a TSCA waste, and this letter and work plan has been prepared to address these wastes. In addition, this letter outlines what is believed to be the applicability and jurisdiction of TSCA on this overall effort, while this letter and its appendices describe how the remedial efforts will be implemented to comply with TSCA.

As presented in the CAP, two soil samples collected from an area in the northeast corner of the Site during previous remedial assessments in 1992 also contained concentrations of PCBs greater than 50 mg/kg. Based on the available data it has been determined that the PCB-affected soil has been removed from this portion of the Site (Applied remedial Systems October 20, 1992). The

source of the PCBs in soil is not well documented but is likely from previous site operations conducted by Pacific Electric Motors associated with repair or assembly and or storage of electric motors and their associated components.

The following sections provide a summary of the site description, regulatory involvement, history, and TSCA applicability.

Site Description

The 2.51-acre Site is located on the western side of 66th Avenue between East 14th Street to the north and San Leandro Street to the south, and is currently developed with two buildings referred to as the "Manufacturing/Office Building" and the "Warehouse" (Figure 2). Previous Site use for manufacturing and warehouse storage has resulted in the presence of COCs in soil and groundwater beneath the Site. Several phases of investigation of soil, soil vapor, and groundwater quality have been completed at the Site to assess the nature and extent of COCs in soil and groundwater. Results from previous investigations have been submitted to the DTSC in several reports, with the most comprehensive summary of the Site data is provided in the CAP.

Previous Soil Investigations

Soil Sampling Methods

During the site investigation activities, soil borings were advanced using a hand auger for the first 5 feet and advanced when necessary from 5 feet bgs to total depth using continuous core, direct-push, Geoprobe® methods. Soils were continuously logged for lithology, and samples were collected from one or more of the following depths: surface, intermediate, and deep intervals (just above groundwater). Additional soil samples were collected if there was evidence of contamination (stained soil and/or vapors).

The majority of the soil samples from the Site were analyzed for TPHg. In most areas, samples were also submitted for metals and SVOC analyses. Where site histories were such that there was a potential for solvent use or there were field indications of volatiles possibly present, samples were submitted for volatile organic compound (VOC) analysis. In addition, soil samples were also analyzed for PCBs in those locations where site histories indicated the potential handling of PCBs. In many locations where PCBs were detected in soil, several "step-out" borings were advanced to further assess and delineate the extent of PCB-affected soil.

As discussed with representatives of EPA, LFR is proposing to conduct pre-clean-up characterization (i.e. more PCB soil sampling activities) to adequately characterize the soil quality at the Site and provide the information required by 40 CFR 761.61(a)(3) to conduct a self-implementing cleanup. The scope of the additional sampling is provided below.

Existing Soil Sampling Results

A total of 99 soil samples collected from 47 locations at the Site analyzed for PCBs in accordance with USEPA SW-846 Method 8082. Soil analytical results for PCBs are presented in Figure 2.

PCBs in excess of the site specific clean up goal of 0.39 milligrams per kilogram (mg/kg), were detected in three areas at the Site. One soil sample contained PCBs in excess of the TSCA guideline of 50 mg/kg was detected in a soil sample collected approximately 0.5 feet bgs from soil boring 4B located in the former Warehouse building at the Site (Figure 5). The exceedances of the site specific and TSCA guideline were detected primarily in the top two feet of soil just under the asphalt (maximum concentration of 69.68 mg/kg).

Previous Groundwater Sampling Methods PCB results

Groundwater samples were collected from a selected number of wells that have been installed at the Site using a low flow sample collection method. As with the soil samples, the majority of the groundwater grab samples were analyzed for TPHg, SVOCs/PAHs, VOCs, and dissolved metals. As requested by the EPA in October 2009, groundwater samples from wells ASMW3I, SMW4I, and SVMW4 were submitted for PCB analyses. PCBs were not reported above the laboratory reporting limits of 0.5 micrograms per liter (μg/l) in any of these groundwater samples.

ADDITIONAL SOIL SAMPLING

As discussed with representatives of EPA, LFR is proposing to conduct pre-clean-up characterization (i.e. more PCB soil sampling activities) to further characterize the soil quality at the Site and provide the information required by 40 CFR 761.61(a)(3) to conduct a self-implementing cleanup.

The following scope of work was developed in response to the email from the EPA to LFR on October 13, 2009 and the telephone conference call on October 19, 2009 between representatives of the U.S. EPA and LFR. It is our understanding that the U.S. EPA is requesting the collection of additional soil and concrete samples at the Site. To comply with this request, LFR prepared a map of the Site illustrating the locations and analytical results of the soil samples previously collected at the Site, the proposed areas of excavation for PCB-affected soil, and the proposed locations of additional soil and concrete samples to be collected (Figure 2).

Rationale for Additional Soil Sampling

To determine the proposed sample locations, a grid comprised of 75-foot spacing was laid over the 2.5 acre Site. The parking area and the portion of the building that was used as office space (located closest to 66th Avenue) is not included on this grid sampling due to the lack of potential use and handling of PCBs in that area of the Site. The 75-foot spacing was selected so that two transects would run east west across the long axis of the Site; 75-foot transects were then placed to establish the grid pattern. This approach is similar to grid requirements provided in 40 CFR 761 Subpart N, but it accommodates for the relatively large size of the area being sampled. At grid node locations that did not have an existing soil sample within approximately 25 feet of the node, the collection of a soil sample approximately 0.5 to 1.0 feet below ground surface (bgs) is proposed. To further assess soil quality at the Site, three soil samples have been added to the driveways that run along the sides of the former warehouse buildings.

In addition to the additional sampling locations shown on Figure 2, LFR is proposing to collect soil samples in the immediate vicinity of a former air compressor and associated sanitary sewer and storm drain lines to address the potential for the air compressor to be a source of PCBs. The air compressor is currently located outside the warehouse building along the south side of the building. To assess soil quality at this location, LFR is proposing to collect two additional soil samples in close proximity to the compressor. In addition, LFR is proposing to collect soil samples adjacent to the sanitary and storm sewer pipelines that are to be abandoned as part of the redevelopment of the Site. Soil samples will be collected every approximately 50 feet of sewer line approximately 1 to 2 feet below the pipeline invert.

Based on the size of the Site, the locations of the existing PCB data, and the locations of the proposed soil samples, LFR believes that the shallow soil quality (and concrete) will be adequately characterized for the presence of PCBs. LFR will propose additional areas of soil excavation should PCBs be detected above the site specific clean up goal of 0.39 mg/kg through the course of the additional soil sampling that is proposed.

Soil Sample Collection Methods

Soil samples will be collected by advancing a soil borings by hand augering to approximately 3.5 feet bgs. Soil samples will be retained from each soil boring by driving a slide hammer lined with a brass tube into undisturbed soil at approximately 0.5 to 1.0 feet bgs and 3.0 to 3.5 feet bgs. The location of the soil boring will be mapped in the field.

The soil samples collected approximately 0.5 to 1.0 feet bgs will be submitted to a state-certified laboratory for PCB analyses using USEPA SW-846 Method 8082. The soil samples collected approximately 3.0 to 3.5 feet bgs will be submitted to the laboratory on hold pending the analysis of the soil sample collected 0.5 to 1.0 feet bgs. Depending on field conditions and visual field screening observations of the soil cores, LFR may submit additional soil samples for laboratory analyses from each proposed soil boring.

The soil samples to be submitted to the laboratory will be labeled with the boring identification number and depth interval, the time and date of collection, the analysis requested, and the initials of the sampler. The samples will be stored in an ice-chilled cooler and submitted to the laboratory under strict chain-of-custody protocols. LFR shall coordinate with the laboratory for the delivery of collected soil samples under chain-of-custody protocols for chemical analysis.

Concrete Sample Collection Methods

In accordance with EPA Site Revitalization Guidance, proposed concrete samples will be collected by drilling a nominal one-inch diameter hole using a rotary impact hammer drill to generate a fine concrete powder suitable for analysis. The powder is to be placed in a laboratory supplied sample container for laboratory analysis. The procedure can be used to collect concrete samples within the upper 6 inches of concrete at each a single proposed location (Figure 2). As with the soil samples, the concrete samples submitted to the laboratory will be labeled with the sample identification number, the time and date of collection, the analysis requested, and the initials of the sampler. The samples will be stored in an ice-chilled cooler and submitted to the laboratory under strict chain-of-custody protocols. LFR shall coordinate with the laboratory for the delivery of collected soil samples under chain-of-custody protocols for chemical analysis. The concrete samples will be submitted for PCB analyses using USEPA SW-846 Method 8082.

CLEANUP PLAN

This SICP has been developed to address the presence of PCB-impacted soils (and concrete) at areas where soil samples contain PCBs at concentrations greater than 0.39 mg/kg. Soil containing PCBs at concentrations greater than 0.39 mg/kg at depths less than 5 feet bgs will be excavated and transported for offsite disposal. The excavated areas will be backfilled with imported soil. This approach meets the requirements of TSCA and will allow likely future site redevelopment activities (including subsurface utility placement) to be conducted without disturbing PCB-impacted soils. SICP activities will include the following:

- Excavating and direct loading or temporarily staging impacted soil (as necessary);
- Collecting confirmation soil samples within the final excavation limits in accordance with TSCA requirements for laboratory analysis;
- Transporting the impacted soil for offsite disposal;

- Surveying the final excavation limits and;
- Placing clean backfill within the excavated areas

Work activities to be performed as part of the SICP are discussed below in more detail, followed by a summary of the proposed schedule and an overview of contingency measures to be implemented if unforeseen obstacles require a change in the cleanup approach.

Pre-Excavation Activities

Work activities to be implemented in preparation for implementing the soil excavation activities include the following:

- Identifying the proposed excavation limits and existing subsurface utilities by field surveying activities, as needed, marking the limits using spray paint, stakes, and flagging, as appropriate.
- Constructing material staging areas for temporary staging of excavated soil (prior to transportation and offsite disposal). A minimum of two material staging areas will be required: one for soil classified as a TSCA-regulated waste (PCBs at concentrations greater than or equal to 50 mg/kg), and one for soil classified as a non-TSCA non-hazardous waste (PCB concentrations greater than 1 mg/kg but less than 50 mg/kg). Each material staging area will be bermed and lined with a low-permeability liner that will slope to a lined collection sump. Soil placed within the material staging areas will be covered using low-permeability material (to minimize potential siltation/migration of soil beyond staging areas). The low-permeability liner and cover will be secured to resist potential wind forces.
- Constructing an equipment decontamination pad. The decontamination pad will be bermed and lined with a low-permeability liner that will slope to a lined collection sump.
- Mobilizing a storage tank(s) for temporary storage of water generated by the soil excavation activities, including rainfall that accumulates within the excavation area (if any), water that accumulates in the material staging area(s) (if any), and washwaters generated by decontamination of personnel and equipment.
- Mobilizing all labor, equipment, materials, supplies, and all things necessary and incidental for implementing the soil excavation activities.

Soil Excavation

Based on the analytical results obtained for the site characterization sampling described above, soil excavation will be performed in four areas illustrated on Figure 2. Excavation sidewalls will be sloped/benched in accordance with Occupational Safety and Health Administration requirements for excavation, as outlined in 29 CFR 1926 Subpart P (as necessary). In accordance with California Code of Regulations (CCR) Title 8 and the California Business and Professions Code, the sloping method has been approved by a California-registered civil engineer. It is currently

estimated that approximately 505 cubic yards of PCB-impacted soil will be removed during the SICP activities. An additional 200 cubic yards of soil will be excavated for benching/sloping purposes, temporarily stockpiled and will be reused as backfill once excavation activities are complete, provided this material does not exhibit unacceptable physical or chemical characteristics.

The final excavation limits will be based on verification samples collected in accordance with TSCA requirements and submitted for traditional laboratory analysis.

The soil excavation activities will be conducted using a backhoe or excavator or other appropriate equipment. Excavation activities will be performed by a qualified, HAZWOPER-trained contractor. Soil removed from the excavation will be transported to a material staging area or direct loaded for offsite transportation and disposal, as described below. Soil will be transported to the material staging areas using a loader, dump truck, or other appropriate equipment.

Additional activities to be conducted in connection with the soil removal include:

- Removing utilities, that currently pass through the area of the proposed excavation, as necessary and appropriate.
- Implementing dust control measures in compliance with Bay Area Air Quality Management District's best management practices, including: watering active excavation area twice daily, if needed; covering trucks hauling soils; and brushing off trucks and tires to minimize potential tracking of soil onto adjacent roadways.
- As necessary, rain water that accumulates within the excavation area (if any) will be removed to a storage tank that will be located in a lined secondary containment area. If rainwater is pumped to a storage tank, sampling will be performed to characterize the water for either offsite transportation and treatment or discharge to the onsite sewer (pending applicable permits and approvals). Please note that the soil removal activities have been scheduled during the rainy season for the Oakland area thus management of precipitation may be required.
- Performing airborne particulate monitoring (dust monitoring) as described below.
- Maintaining the excavation until the analytical results of the verification soil samples indicate that the cleanup objectives have been achieved. Although the Site is fenced and security is provided to control public access, fencing or other appropriate barriers will be placed directly around the excavation perimeter to further limit access (until backfilling is completed). Verification soil samples will be submitted to the laboratory and a 24-hour to 48 hour turnaround will be requested to minimize the amount of time the excavation is open. While the excavation is open, daily inspections will be performed to evaluate the condition of the fencing, the sloping/benching/shoring, and other protective systems. Based on inspection results, corrective actions will be implemented, as needed.
- Covering soil stockpiled in the material staging areas with a low-permeability material to minimize contact with precipitation and potential migration/siltation of soil beyond staging areas. The low-permeability liner will be secured to resist wind forces.

- Decontaminating project equipment (including excavation equipment, trucks, hand-tools, etc.) and materials that comes in contact with impacted site media prior to demobilizing from the Site and prior to re-grading clean soil around the excavation areas. In addition, equipment used to handle soil that exhibits PCBs at concentrations greater than 50 mg/kg will be decontaminated prior to handling soil that exhibits PCBs at concentrations less than 50 mg/kg. The decontamination activities will be conducted within the lined equipment decontamination area. Decontamination activities will be performed until no visible soil or debris is present on the equipment surfaces. Washwaters generated by the equipment decontamination activities will be containerized for characterization sampling and appropriate treatment/disposal. Solid wastes generated by the equipment decontamination activities will be containerized for offsite disposal.

Verification Soil Sampling

Upon completion of anticipated soil removal activities, verification soil samples will be collected in accordance with 40 CFR 761.283. Samples will be collected from the bottom of the excavation on a square-based grid overlying the entire removal area, with a spacing of 1.5 meters and one soil sample will be collected from the top of each sidewall for every 30 linear feet of sidewall. Individual samples from the excavation bottom will be field composited in accordance with 40 CFR 761.283. Sidewall samples will be analyzed as discrete grab samples. PCB analysis will be performed in accordance with USEPA SW-846 Method 8082.

If laboratory analytical results indicate PCBs are present in a verification soil sample at concentrations above the cleanup value of 0.39 mg/kg for soils, additional soil will be excavated from the area of inference for the sample, as defined in 40 CFR 761.283(d), and additional verification soil sampling will be performed.

Waste Handling / Offsite Disposal

Based on results of characterization sampling, approximately 210 tons of soil will be transported for offsite disposal as a TSCA-regulated waste (PCB concentrations greater than or equal to 50 mg/kg). An additional 700 tons will be transported for offsite disposal as a non-TSCA waste (PCB concentrations greater than 1 mg/kg but less than 50 mg/kg). The volume of excavated soil may increase (or decrease) based on the results of confirmation soil sampling, and actual size of the proposed areas of excavation.

Solid wastes generated by the proposed excavation activities will be direct-loaded for offsite disposal (provided sufficient analytical data are available to characterize the waste for disposal) or temporarily transferred to material staging areas prior to offsite disposal. The soils will be wetted as necessary, to reduce the potential for dust generation during loading and transport activities. A each truck is filled, it will be inspected to ensure that the waste soil is securely covered and that the tires of the haul trucks are reasonably free of accumulated soil prior to leaving the Site.

Remediation waste.

Excavated soil will be loaded and transported for offsite disposal in accordance with applicable rules and regulations.

Water used during the excavation activities will be containerized in a storage tank and sampled to characterize the water for either offsite transportation and treatment or discharge to the onsite sewer (pending applicable permits and approvals). Characterization sampling will be performed pursuant to the requirements of the receiving treatment/disposal facility.

Wastes will be transported for offsite treatment/disposal under a bill-of-lading, non-hazardous waste manifest, or hazardous waste manifest, as appropriate. TSCA-regulated waste will be transported by registered hazardous waste haulers holding a currently valid registration issued by DTSC and meeting federal requirements imposed by the Department of Transportation (DOT) and USEPA under RCRA. Haulers are also subject to California hazardous waste law requirements pertaining to hauling of hazardous wastes (Health and Safety Code §25100 et seq. and §25163 et seq.; 22 CCR §66263.10 et seq.; 13 CCR §1160 et seq.; California Vehicle Code §12804 et seq. and §31300 et seq.) which are implemented and enforced by DTSC as well as the California Highway Patrol, Department of Motor Vehicles, local sheriff, and police agencies who have general responsibilities for the transportation of hazardous waste on state and local roadways.

TSCA-regulated waste will be transported to the Kettleman Hill Landfill in Kettleman City, California. It is a Class I landfill operating under permit number 16-AA-0023. Non-hazardous waste will be transported to Keller Canyon Landfill in Pittsburg, California. It is a Class II landfill operating under permit number 07-AA-0032. The distance from the Site to Keller Canyon is 35 miles, and the approximate travel time is 1.25 hours. The distance from the Site to Kettleman Hills Landfill is approximately 225 miles, and the approximate travel time is 3 hours and 30 minutes.

Based on the estimated quantity of material to be removed, it is anticipated that trucks will be onsite for approximately two weeks to transport material to the appropriate disposal facility. Trucks will be limited to arriving and departing the Site between the hours of 9:00 am and 3:30 pm in order to avoid peak hour traffic impacts.

Air Monitoring

Real-time airborne monitoring for particulates (dust) will be conducted during activities with the potential to generate dust (e.g., excavation, material handling, backfilling) in accordance with an addendum to the site-specific Health and Safety Plan (in development). The air monitoring equipment will be calibrated at least once daily, prior to the start of work activities. The results of airborne particulate monitoring will be recorded by the onsite health and safety supervisor (or designated alternative) at a minimum frequency of once per hour, unless site conditions and work activities being conducted do not cause the generation of dust.

Cover Placement

Following receipt of laboratory analytical results indicating that the soil cleanup objectives have been achieved, a licensed surveyor will survey the final excavation limits. The excavation will then be backfilled and compacted with the excavator bucket. The limits of the excavation (and verification samples) will be surveyed by a licensed surveyor.

Site Restoration

Site restoration will proceed by placing soils excavated for purposes of benching/ sloping, followed by placing and grading clean backfill material imported from offsite (as needed). Backfill will be placed, compacted, and graded in accordance with applicable Alameda regulations.

Prior to backfilling, samples will be collected from the material excavated for benching/sloping and the backfill source (or existing data on backfill will be utilized) to verify that the proposed material does not exhibit unacceptable physical or chemical characteristics. Backfill material will be sampled at a frequency of 1 sample per 1,000 cubic yards of material. Samples will be submitted for laboratory analysis for PCBs, TPH, VOCs, SVOCs/PAHs, and metals. Backfill material will not have PCBs at concentrations greater than 0.39 mg/kg, or other constituents at concentrations greater than site-specific clean-up levels. Alternate sources of backfill will be identified if unacceptable results are obtained. Prior to placing/grading backfill, equipment that came into contact with impacted soil will be appropriately decontaminated.

Project Schedule

Pre-excavation sampling and excavation activities are scheduled to begin 5 days after submittal of this notification. Pre-excavation activities (including preparing existing utilities for removal or relocation) are anticipated to require approximately two to four weeks to complete. Following pre-excavation activities, soil removal activities will be initiated and will require approximately four weeks to complete. Verification soil sampling will be performed, and soil samples will be submitted for laboratory analysis on a 24-hour to 48 hour turnaround to reduce the time the excavation is open. Additional soil removal activities may be required based on verification sampling results and would be completed in an expeditious manner. Site restoration would be completed within approximately one week of receiving acceptable verification sampling results for the excavation.

Reporting

Upon completion of cleanup activities, LFR will prepare a summary report to satisfy the reporting requirements of 40 CFR 761.61(a)(9). The summary report will include the following:

- The date and time soil cleanup was completed or terminated;

- A brief description of the excavation location and the nature of the materials contaminated;
- Pre-cleanup sampling data used to establish the spill boundaries and a brief description of the sampling methodology used to establish the spill boundaries;
- The depth of soil excavation and volume of soil removed; and
- Results of post-cleanup verification sampling

Closing

Page 11

This SICP was developed in accordance with TSCA requirements presented under 40 CFR 761. As previously discussed, the approach detailed in this SICP fulfills TSCA requirements and is fully protective of human health and the environment. It is important to note that the project cleanup goal of 0.39 mg/kg PCBs is lower and more protective than the 1 mg/kg goal in TSCA regulations. As discussed, LFR is requesting a variance to the schedule provided for in 40 CFR 761.61(3)(ii), as cleanup activities are currently scheduled to begin approximately 5 calendar days after submittal of this notice. Please do not hesitate to contact me if you have any questions or require additional information.

Meeting Issue

Sincerely,

Ron Goloubow, P.G.
Senior Associate Geologist

Attachments - Figures 1 and 2; Certification

cc: Mr. Charles Robitaille – Aspire Charter Schools
Paresh Khatri – Alameda County Department of Environmental Health

LFR an ARCADIS company

CERTIFICATION

To the best of our knowledge, sampling plans, sample collection procedures, sample preparation procedures, extraction procedures, and instrumental/chemical analysis procedures used to assess or characterize the polychlorinated biphenyls (PCBs) affected soil and concrete at the former Pacific Electric Motors facility located at 1009 66th Avenue in Oakland, California, are on file at the Alameda County Department of Environment , located at 1131 Harbor Bay Parkway in Alameda, California 94502 and are available for EPA inspection. No unapproved alternate methods for chemical extraction and chemical analysis for site characterization have been used.

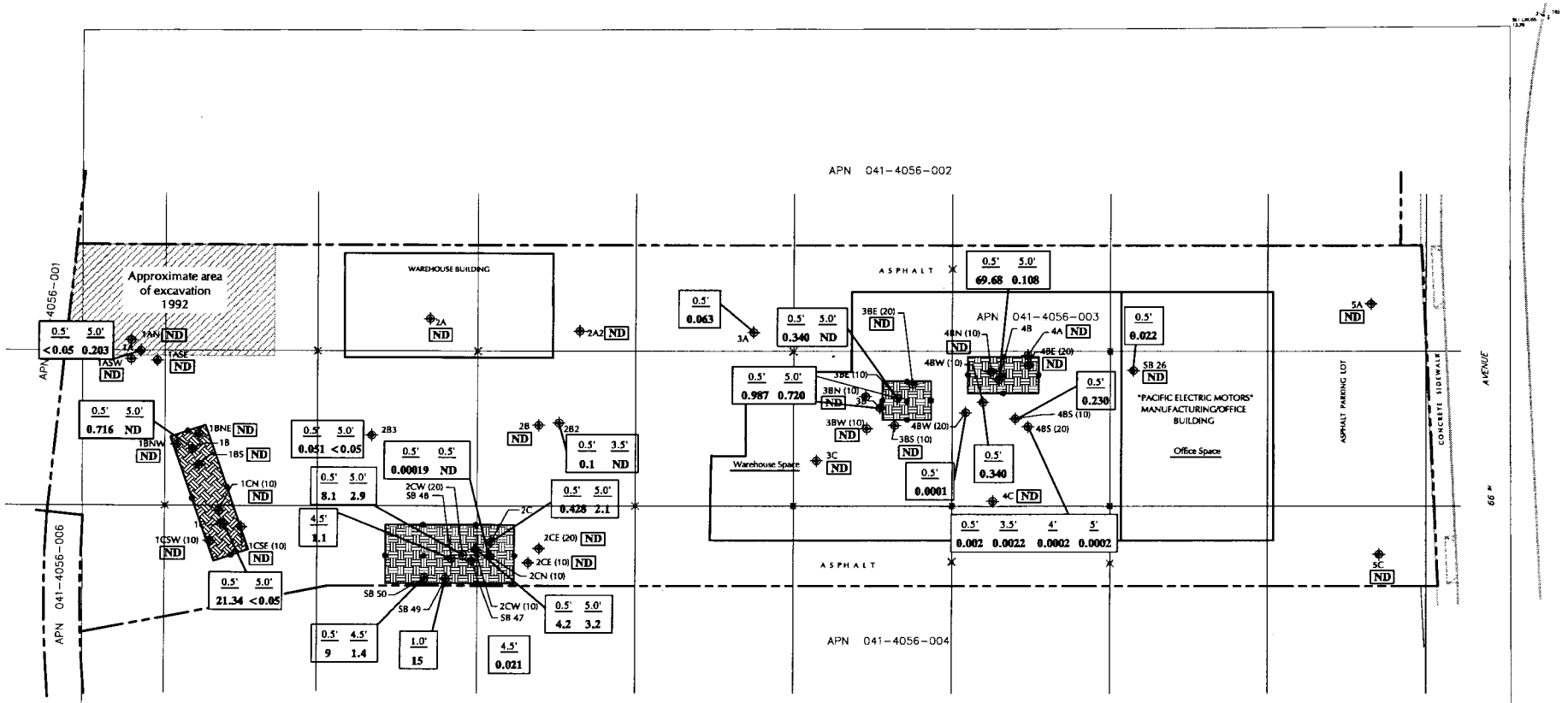
Certified by:

Aspire Charter Schools
Site Owner

Date

LFR, Inc., an Arcadis Company

Date



EXPLANATION:

- 1B ⊕ Soil sample location
- ■ Proposed soil and concrete sample location based on a 75'x75' grid spacing (4 locations)
- • Proposed confirmation soil sample based on a 30'x30' grid spacing
- × Proposed soil sample location based on a 75'x75' grid spacing (9 locations)
- Property line
- Proposed excavation of PCB-affected soil
- 4.5' / 1.1 — Depth in feet / Concentration in mg/kg
- ND = Not detected at or above laboratory reporting limits

PCBs Detected in Soil
0 to 5 Feet Below Ground Surface

Proposed Charter School Site
1009 66TH Avenue, Oakland, California

Figure 2

LFR an ARCADIS company

I:\Design\0030\091155\04\dwg\PCBs in soil rev1.dwg Oct 23,2009-1:21pm

Tom Booze and
Mark Malinowski
Chief Schools Unit
Sacramento Office
Brownfields and Restoration
Program
California DTSC
8800 Cal Center Drive
Sacramento, CA
95826

FW: 66th Ave Ownership
Gibbs, Alan
to:
Carmen Santos
10/30/2009 10:56 AM
Cc:
"Goloubow, Ron"
Show Details

Here is the information you requested.

From: Charles Robitaille [mailto:charles@pacificcharter.org]
Sent: Friday, October 30, 2009 10:44 AM
To: Gibbs, Alan
Subject: 66th Ave Ownership

The owner of the 66th Avenue property is:

Aspire Public Schools, a California non-profit public benefit corporation
1001 22nd Avenue, Suite 100
Oakland, California 94606
ATTN: Mike Barr, CFO

Charles P. Robitaille
Senior Project Manager
Pacific Charter School Development
2350 El Camino Avenue
Sacramento, California 95821-5689
925-698-1118 - Cell
916-941-2477 - Facsimile
charles@pacificcharter.org
www.pacificcharter.org

Ron Goloubow
LFR Inc. an Arcadis Company
1900 Powell Street
12th Floor
Emeryville, CA 94608

LFR contact information
Gibbs, Alan
to:
Carmen Santos
10/29/2009 03:31 PM
Cc:
"Goloubow, Ron"
Show Details

History: This message has been replied to.
Carmen,

Please find below my contact information; I will get you the property owner's information shortly.

Alan D. Gibbs, P.G., C.HG., R.E.A.II
Vice President/Principal Hydrogeologist
LFR Inc.
Please note new contact information:
1410 Rocky Ridge, Suite 330
Roseville, CA 95661
916.786.8129 Direct Dial
916.786.0320 Main Number
916.240-2293 Mobile
916.786.0366 Fax
alan.gibbs@lfr.com
Visit us at www.lfr.com

To: "Goloubow, Ron" <Ron.Goloubow@lfr.com>,
Cc:
Bcc:
Subject: Re: FW: PCBs - Aspire Site, Follow Up to December 10, 2009 Conference Call

Dear Ron Goloubow:

Please provide the information we asked in the December 11, 2009 message (sent to you at 12:02 PM) that I sent to you together with the Pro-UCL calculations.

For samples containing contaminant concentrations less than the laboratory detection limit , the value that Pro-UCL software recommends upon input of all the data should be used and not the values (the laboratory reporting limit) that you are proposing in your message. We will get back to you after reviewing the information that we requested in the December 11, 2009 message and all the Pro-UCL calculations.

Thank you.

Sincerely,

Carmen D. Santos, Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

"Goloubow, Ron" Per our conversation yesterday, LFR is in the pro... 12/11/2009 02:28:17 PM

From: "Goloubow, Ron" <Ron.Goloubow@lfr.com>
To: Carmen Santos/R9/USEPA/US@EPA, Patrick Wilson/R9/USEPA/US@EPA, "Khatri, Paresh, Env. Health" <paresh.khatri@acgov.org>, Mark Malinowski <MMalinow@dtsc.ca.gov>
Cc: "Gibbs, Alan" <Alan.Gibbs@lfr.com>, "Goldberg Day, Amy" <Amy.GoldbergDay@lfr.com>, Charles Robitaille <charles@pacificcharter.org>, Mike Barr <Mike.Barr@aspirepublicschools.org>, Annie Bauer <Annie.Bauer@aspirepublicschools.org>
Date: 12/11/2009 02:28 PM
Subject: FW: PCBs - Aspire Site, Follow Up to December 10, 2009 Conference Call

Per our conversation yesterday, LFR is in the process of applying the 95% upper confidence level statistical analysis (95-UCL) to the analytical data for the soil samples that contain PCBs greater than 0.13 mg/kg and less than 0.39 mg/kg that would remain in soil at the Site. For samples that have less than the laboratory reporting limit we are planning to use the laboratory reporting limit as a concentration of PCBs that are left in place at that particular location. The US EPA statistical software ProUCL will be used to calculate the 95% UCL.

If this analysis determines that the 95-UCL is ≤0.13 mg/kg for soil across the Site would this analysis provide the data required to deem the removal action as successful?

Please let me know.

Ron Goloubow, P.G.
LFR Inc., an ARCADIS Company
510-596-9550 Direct Dial
510-501-1789 Cell

510-652-4906 Facsimile
ron.goloubow@lfr.com
From: Santos.Carmen@epamail.epa.gov [mailto:Santos.Carmen@epamail.epa.gov]
Sent: Friday, December 11, 2009 12:02 PM
To: Goloubow, Ron; Gibbs, Alan
Cc: Annie Bauer; Mike Barr; Mark Malinowski; Khatri, Paresh, Env. Health; Charles Robitaille; Wilson.Patrick@epamail.epa.gov
Subject: PCBs - Aspire Site, Follow Up to December 10, 2009 Conference Call

Dear Ron Goloubow and Alan Gibbs:

I am following up on the issue of Aspire continuing with the conditionally-approved PCB self-implementing cleanup notification rather than submitting a PCB risk-based disposal approval. Our November 13, 2009 conditional approval letter establishes a cleanup goal for PCBs of 0.13 mg/kg (total Aroclors) for the Aspire school site in Oakland - a level consistent with the cleanup goal proposed in your corrective action plan and a concentration previously approved by the Alameda County Department of Health (ACDH).

I want to clarify that if Aspire decides to propose a different cleanup level, that Aspire may make such proposal via an amendment to the current self-implementing cleanup notification as long as: (1) all exposure assessment and risk characterization calculations and inputs, a site-wide conceptual site model (CSM), and all supporting justifications are submitted to USEPA for review and approval, (2) the proposed PCB risk-based cleanup level does not increase the site-wide cumulative risk or hazard of applicable contaminants at the site beyond a risk range acceptable to ACDH, DTSC School Program, and USEPA, and (3) ACDH, DTSC's School Program, and USEPA agree that the proposed cleanup level is adequate and protective.

Please call me if you have any questions concerning this follow up message.

Thank you for your courtesies and have a nice day.

Sincerely,

Carmen D. Santos, Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
415.972.3360
fax: 415.947.3533

RE: 1009 66th Ave. Oakland, CA - Conference call
Goloubow, Ron
to:
Carmen Santos
10/19/2009 10:31 AM
Cc:
"Gibbs, Alan", "Seyfried, Scott", "Jones, Michael"
Show Details

We are set to have a conference call at 1:00 PST Today Monday, October 19, 2009 to discuss the details regarding PCBs at the subject Site.

Now that we have up to four or five participants please use the following call in number:

800-406-9170 - dial in number

666-598-1298# - conference ID

Talk to you all at 1:00 PST

Ron.

Ron Goloubow, P.G.
LFR Inc., an ARCADIS Company
510-596-9550 Direct Dial
510-501-1789 Cell
510-652-4906 Facsimile
ron.goloubow@lfr.com

From: Goloubow, Ron
Sent: Friday, October 16, 2009 3:17 PM
To: 'Santos.Carmen@epamail.epa.gov'; Wilson.Patrick@epamail.epa.gov
Cc: Gibbs, Alan; Seyfried, Scott; Jones, Michael
Subject: 1009 66th Ave. Oakland, CA - Site Plan

Carmen - attached is a site plan of the subject site that illustrates the following items that we would like to discuss with you and Patrick Wilson next week:

- Soil and concrete sampling plan based on a 75-foot by 75-foot grid across the property (excluding the office space and parking area along 66th Avenue).
- Proposed areas of excavation and confirmation soil sampling locations (based on a 30 foot by 30 foot grid within each area of excavation.

Another item we would like to discuss is the disposal plan for PCB affected soil and concrete that will be removed from the Site.

We look forward to speaking with you.

Ron Goloubow, P.G.
LFR Inc., an ARCADIS Company

510-596-9550 Direct Dial
510-501-1789 Cell
510-652-4906 Facsimile
ron.goloubow@lfr.com

1009 66th Ave. Oakland, CA - soil sample rationale
Goloubow, Ron
to:
Carmen Santos, Patrick Wilson
10/20/2009 04:26 PM
Cc:
Charles Robitaille, "Gibbs, Alan", "Seyfried, Scott", "Jones, Michael", "Goloubow, Ron"
Show Details

Carmen - The attached provides the rationale for the proposed soil and concrete sample locations to be collected for polychlorinated biphenyls (PCBs) analysis at the subject Site. I will follow up with you Wednesday October 21, 2009 in the early afternoon to find out what progress the EPA has made regarding the review of the "conceptual" sampling plan for this project. If you have any questions regarding this letter or the project in general, please do not hesitate to contact me at 510-596-9550.

Thanks Ron.

Ron Goloubow, P.G.
Senior Associate Geologist
LFR Inc., an ARCADIS Company
1900 Powell Street, 12th Floor
Emeryville, CA 94608-1827
510-596-9550 Direct Dial
510-501-1789 Cell
510-652-4500 Main Number
510-652-4906 Facsimile
ron.goloubow@lfr.com
Visit us at www.lfr.com

PCBs at Aspire Property (66th Avenue, Oakland, CA)
Carmen Santos to: Goloubow, Ron 10/13/2009 03:09 PM
Cc: Patrick Wilson, Carmen Santos
Bcc: Steve Armann

Dear Ron Goloubow:

Thank you for making contact with USEPA Region 9 (USEPA) to determine if the Toxic Substances Control Act (TSCA) regulations for polychlorinated biphenyls (PCBs) in 40 CFR Part 761 (the "PCB Regulations") apply to the Aspire property (site) on 66th Avenue (between East 14th Street and San Leandro Street) in Oakland. You work with LFR who is Aspire's consultant. Aspire plans to build a school (middle / high school combined) at its property. PCBs are present in soils at the site among other contaminants.

We believe that TSCA requirements apply to the cleanup of PCBs at the site based on the information we have reviewed in the LFR /Arcadis July 9, 2009 revised Corrective Action Plan (CAP). Section 4.1.1 of the CAP states that "[d]ocumented releases of hazardous materials at the Site include petroleum hydrocarbon compounds (from the former UST) and PCBs (presumably from their manufacture and service of transformers and other electrical equipment components)." We clarify that although soil sampling / analysis data presented in the CAP show PCBs mostly at concentrations below 50 mg/kg (ppm) and one hot spot at 69.68 ppm PCBs, releases from at least Pacific Electric Motors (PEM) resulted in the PCB contamination at the site. Soils with PCB concentrations up to 45,470 ppm were excavated by PEM under the oversight of Alameda County Department of Environmental Health (ACDEH). Based on the CAP, Pacific Electric Motors operations involved manufacturing and servicing of transformers and other electrical equipment components. TSCA requirements apply at the site. Therefore, this message provides guidance on PCB cleanup options available under TSCA and some recommendations.

Based on the CAP (LFR / Arcadis) and as a prelude to the recommendations that we are making later in this message, we include below a brief summary of site operations and ownership.

- Pacific Electric Motors (PEM) occupied the site from 1949 to 2001.
- PEM constructed the two buildings that currently occupy the site: the Manufacturing / Office Building and the Warehouse.
- At the site, PEM was involved with manufacturing of specialty magnets, power supplies, and components; and repairing of transformers, motors, generators and magnets.
- In about 1975, PEM installed at the site a 2, 000-gallon gasoline underground storage tank.
- PEM may have stored vehicle lubricants and oil for vehicle maintenance.
- Among others, waste water discharges in the past included air compressor condensate.
- Highest documented concentration of PCBs in soils at the former PEM site is 45,470 mg/kg.
- Mo Dad Properties acquired the site in 2001; and the on-site buildings were occupied by Bay Area Powder Coatings.
  Bay Area Coatings declared bankruptcy.
- Landeros Iron Works subleased the property from Bay Area Coatings and vacated the site in 2008.
- The site is currently vacant and the original structures still remain.

surface or ground waters; sediments in marine and freshwater ecosystems; sewers or sewage treatment systems; any private or public drinking water sources or distribution systems; grazing lands; or vegetable gardens. See 40 CFR 761.61(a)(1).

Therefore, the site characterization in the notification submitted to USEPA should clearly explain what has been contaminated by PCBs and all reasonably foreseeable uses of the property given its proposed use as a school. For example, many schools in California have installed vegetable gardens as part of their educational curriculums and therefore the potential for asphalt or concrete being removed for a vegetable garden at some time in the future should be evaluated. The change in the use of the Aspire site is relevant to the required cleanup level and the procedures which apply. USEPA has the authority to require cleanup of a site, or portions of it, to more stringent cleanup levels than are otherwise required by the self-implementing procedures, based on the proximity to areas such as schools. See 40 CFR 761.61(a)(4)(vi).

The risk based option authorized by section 761.61(c) of the PCB Regulations requires a risk evaluation for on-site cleanup and disposal of PCB remediation waste in addition to the notification and certification requirements specified in subsection 761.61(a)(3). The risk based disposal option is used by parties when they want to cleanup a site, collect samples, or dispose of PCB remediation waste in a manner different than prescribed in section 761.61(a) or when the self-implementing procedures are not applicable.

Under both PCB cleanup options, a Notification and Certification must be submitted to USEPA in accordance with subsection 761.61(a)(3) of the PCB Regulations and this notification involves characterizing the site adequately. The certification required in subsection 761.61(a)(3) should include all of the information specified by that provision and a certification meeting all the requirements of sections 761.3 (defining certification) and 761.61(a)(3)(i)(E) of the PCB Regulations. For cleanups where the self-implementing procedure is allowable and the option being pursued, USEPA will respond in writing (approving of the self-implementing cleanup, disapproving of the self-implementing cleanup, or requiring additional information) within 30 calendar days. USEPA has no mandated time frame to approve a risk-based application for a PCB cleanup. Cleanup and verification of a cleanup conducted under the PCB self-implementing cleanup option must be conducted in accordance with all the applicable requirements in 761.61(a), including 761.61(a)(6).

PCB contaminated soils at the site that will be disposed offsite are PCB bulk remediation waste. Disposal of these soils should be based on as found (in situ) PCB concentrations, not on the concentration of the soil after it has been excavated and placed in a pile.

Other PCB remediation wastes expected to be generated as part of the cleanup include concrete surfaces at the site contaminated with PCBs, personal protective equipment, cleanup wastes, and liquids. Disposal requirements for these wastes are in 40 CFR 761.61(a)(5). In addition, decontamination of sampling and equipment and disposal of decontamination residues should be conducted in accordance with 40 CFR 761.79 (c), (d), (e), (f), and (g).

The CAP contains a good portion of the information required in the Notification and Certification which must be submitted to USEPA for either the self-implementing or risk based PCB cleanup options, but USEPA needs more detailed information. See below.

The extent of PCB contamination has to be clearly discussed as well as any information concerning PCB sources at the site. The extent of contamination is not clear to USEPA so the site investigation uncertainties mentioned earlier in this message should be addressed in the cleanup plan. The cleanup plan should present PCB analysis data as total PCBs and speciated Aroclors (e.g., Aroclor 1242, Aroclor 1260).

Recommendations

We recommend the following:

- The characterization of the Aspire site still contains data gaps and uncertainties. Some of these uncertainties were described earlier in this message. As required by 40 CFR 761.61(a)(2), characterize the Aspire site in more detail to provide USEPA with adequate information concerning the nature of the contamination, including: (a) kinds of materials contaminated; (b) a summary of the procedures used to sample contaminated and adjacent areas and a table or cleanup site map showing PCB concentrations measured in all pre-cleanup characterization samples. The summary must include sample collection and analysis dates. USEPA will require more detailed information including additional characterization sampling - see below. (c) The location and extent of the identified contaminated area, including topographic maps with sample collection sites cross referenced to the sample identification numbers in the data summary. (d) A cleanup plan for the site, including schedule, disposal technology, and approach. This plan should contain options and contingencies to be used if unanticipated higher concentrations or wider distributions of PCB remediation waste are found or other obstacles force changes in the cleanup approach.

- Utilize Subpart N of the PCB Regulations, which sets out a method for collecting new site characterization data, for assessing the sufficiency of existing site characterization data.

- Utilize Subpart O to verify that cleanup levels have been met after characterization and cleanup have been conducted.

- Utilizing appropriate procedures as specified in the PCB Regulations, collect additional soil data at the Aspire site to determine if PCBs are present in other areas (e.g., steam cleaning sump) of the site. Additional soil samples should be collected in areas where PCBs may be a co-contaminant and in areas where PCB samples were not collected and TPH is or may be present and enhancing the solubility of PCBs in soils.

- Provide adequate information to characterize whether the PCBs at the Aspire site have migrated to groundwater (such as ground water samples).

- The July 9, 2009 revised CAP includes the ACDEH PCB cleanup level of 0.39 ppm for soils. The self implementing PCB cleanup regulations in 40 CFR 761.61(a)(4) requires a PCB cleanup level for high occupancy areas equal to or below 1 ppm without further restrictions, but USEPA has the authority to impose more stringent requirements if needed due to considerations such as proximity to a school. In some circumstances a cleanup goal lower than the level set by ACDEH might be appropriate. EPA has not yet made a determination regarding the appropriate cleanup level in this instance. If made available to USEPA, we will review the calculations and basis used in developing the 0.39 ppm PCB cleanup goal in the CAP. Whatever cleanup goal is ultimately adopted as the cleanup level for the TSCA cleanup, the owner of the property would be required to meet the cleanup level adopted for the TSCA cleanup.

- PCB bulk product waste: We believe that PCB bulk product waste will be generated during demolition of the structures at the site. Although a specific approval from USEPA is not necessary for removal and disposal of PCB bulk product waste, we recommend that the LFR / Arcadis PCB cleanup plan also include a section on removal and disposal of PCB bulk product waste. Given the age of the structures, we recommend a survey be done on these structure to determine PCB products that may be involved. For example the metal walls of the buildings may be made of metal siding that may be coated with a PCB coating like Galbestos. If manufactured with this coating the metal walls of the building would be a PCB bulk product waste.

I hope the above information is useful in preparing a PCB cleanup plan that meets TSCA requirements. Please call me if you have any questions concerning this message.

Sincerely,

Carmen D. Santos

Project Manager
RCRA Corrective Action Office
Waste Management Division
USEPA Region 9
Voice: 415.972.3360
Facsimile: 415.947.3553

PCBs at Aspire Property (66th Avenue, Oakland, CA)

Carmen Santos to: Goloubow, Ron 10/13/2009 03:09 PM

Cc: Patrick Wilson, Carmen Santos

Bcc: Steve Armann

Dear Ron Goloubow:

Thank you for making contact with USEPA Region 9 (USEPA) to determine if the Toxic Substances Control Act (TSCA) regulations for polychlorinated biphenyls (PCBs) in 40 CFR Part 761 (the "PCB Regulations") apply to the Aspire property (site) on 66th Avenue (between East 14th Street and San Leandro Street) in Oakland. You work with LFR who is Aspire's consultant. Aspire plans to build a school (middle / high school combined) at its property. PCBs are present in soils at the site among other contaminants.

We believe that TSCA requirements apply to the cleanup of PCBs at the site based on the information we have reviewed in the LFR /Arcadis July 9, 2009 revised Corrective Action Plan (CAP). Section 4.1.1 of the CAP states that "[d]ocumented releases of hazardous materials at the Site include petroleum hydrocarbon compounds (from the former UST) and PCBs (presumably from their manufacture and service of transformers and other electrical equipment components)." We clarify that although soil sampling / analysis data presented in the CAP show PCBs mostly at concentrations below 50 mg/kg (ppm) and one hot spot at 69.68 ppm PCBs, releases from at least Pacific Electric Motors (PEM) resulted in the PCB contamination at the site. Soils with PCB concentrations up to 45,470 ppm were excavated by PEM under the oversight of Alameda County Department of Environmental Health (ACDEH). Based on the CAP, Pacific Electric Motors operations involved manufacturing and servicing of transformers and other electrical equipment components. TSCA requirements apply at the site. Therefore, this message provides guidance on PCB cleanup options available under TSCA and some recommendations.

Based on the CAP (LFR / Arcadis) and as a prelude to the recommendations that we are making later in this message, we include below a brief summary of site operations and ownership.

- Pacific Electric Motors (PEM) occupied the site from 1949 to 2001.
- PEM constructed the two buildings that currently occupy the site: the Manufacturing / Office Building and the Warehouse.
- At the site, PEM was involved with manufacturing of specialty magnets, power supplies, and components; and repairing of transformers, motors, generators and magnets.
- In about 1975, PEM installed at the site a 2, 000-gallon gasoline underground storage tank.
- PEM may have stored vehicle lubricants and oil for vehicle maintenance.
- Among others, waste water discharges in the past included air compressor condensate.
- Highest documented concentration of PCBs in soils at the former PEM site is 45,470 mg/kg.
- Mo Dad Properties acquired the site in 2001; and the on-site buildings were occupied by Bay Area Powder Coatings.
  Bay Area Coatings declared bankruptcy.
- Landeros Iron Works subleased the property from Bay Area Coatings and vacated the site in 2008.
- The site is currently vacant and the original structures still remain.

In addition to the above, we understand that in 1992 and 1993, PEM conducted soil investigations as required by ACDEH. Approximately, 400 cubic ~~yards of~~ soil that contained up to 45,470 mg/kg PCBs as Aroclor 1260 were excavated and disposed offsite. ACDEH had required PEM to meet a 1 mg/kg PCB level in soils as the excavation remedial goal. ACDEH issued a "No Further Action" letter to PEM after completion of the soil removal activities.

Current PCB Contamination

Based on the data presented in the CAP, PCB-contaminated soils are still present at the site: samples taken of the Northern Area have PCBs below 50 ppm (ranging from not detected to 21.34 ppm PCBs) and samples taken in the Southern Area show PCBs above 50 ppm (samples range from not detected to one sample at 69.68 ppm PCBs). The CAP does not provide the basis for the areas at the site that were investigated for PCBs and LFR believes the investigated areas were targeted based on the operations conducted at the site.

Lacking additional information on the site, it is uncertain if previous soil investigations for PCBs identified all potential PCB source areas (based on PEM and others that occupied the site) and if such investigations involved the entire 2.5-acre site. For example, it is uncertain if historic and most recent soil investigations included a PCB assessment in the area of the steam-cleaning sump where the water was found to contain traces of PCBs (CAP, Section 2.1.2). If the sump is still present at the site, is it made of concrete and if it is, have bulk concrete samples been collected from the concrete, and soil samples collected beneath and in proximity to the sump?

Discharges of "air compressor condensate" occurred at the site and these discharges may have contained PCBs depending on the age and type of compressor used and the oil contained in the compressor. Releases of oil from transformers and other electrical equipment potentially containing PCBs also occurred at the site. In addition, several types of oils were stored at the site some of which were used for vehicle maintenance. A possibility exists that some of these oils may have been hydraulic fluids (PCBs were also added to hydraulic oils in the past) or other oils (potentially containing PCBs) used to service other equipment on site like air compressors. Aroclor 1260, which is associated with transformer oils, hydraulic fluids, and other applications, was detected in soils at the site.

Section 8.1.1 (Site Management) of the "Implementation Plan" (Section 8.0) of the CAP states that building materials will be removed from the site and reference is made to materials such as lead-based paint and asbestos containing material (such as transite [asbestos concrete] pipes. We understand that building structures existing at the site are made of metal (on concrete slab) and will be demolished before construction of the school. We also understand that PEM constructed these buildings in the late 1940s.

Alternatives for PCB Cleanup

Based on the limited information that we have reviewed, cleanup of the site and demolition activities will involve the need to properly dispose of PCB remediation wastes (including bulk PCB remediation waste such as soils) and PCB bulk product wastes. The terms PCB remediation waste and PCB bulk product waste are defined in the PCB Regulations at 40 C.F.R. 761.3.

Section 761.61 maps out the requirements of the PCB Regulations for cleanup and disposal of PCB remediation wastes while section 761.62 sets out the requirements for disposal of PCB bulk product waste. Self-implementing procedures for cleanup and disposal of PCB remediation wastes can be found at 40 CFR 761.61(a) and the procedure for a risk-based disposal approval is found at 40 CFR 761.61(c). The http://www.access.gpo.gov/nara/cfr/waisidx_08/40cfr761_08.html link will take you to the PCB regulations in the electronic Code of Federal Regulations after you paste it in your web browser. PCB remediation waste and PCB bulk product waste are defined in 40 CFR 761.3.

Adequate characterization of the site is required for the self-implementing procedure. See 40 C.F.R. 761.61(a)(2). The self-implementing procedures set out in section 761.61(a) may not be used to clean up

surface or ground waters; sediments in marine and freshwater ecosystems; sewers or sewage treatment systems; any private or public drinking water sources or distribution systems; grazing lands; or vegetable gardens. See 40 CFR 761.61(a)(1).

Therefore, the site characterization in the notification submitted to USEPA should clearly explain what has been contaminated by PCBs and all reasonably foreseeable uses of the property given its proposed use as a school. For example, many schools in California have installed vegetable gardens as part of their educational curriculums and therefore the potential for asphalt or concrete being removed for a vegetable garden at some time in the future should be evaluated. The change in the use of the Aspire site is relevant to the required cleanup level and the procedures which apply. USEPA has the authority to require cleanup of a site, or portions of it, to more stringent cleanup levels than are otherwise required by the self-implementing procedures, based on the proximity to areas such as schools. See 40 CFR 761.61(a)(4)(vi).

The risk based option authorized by section 761.61(c) of the PCB Regulations requires a risk evaluation for on-site cleanup and disposal of PCB remediation waste in addition to the notification and certification requirements specified in subsection 761.61(a)(3). The risk based disposal option is used by parties when they want to cleanup a site, collect samples, or dispose of PCB remediation waste in a manner different than prescribed in section 761.61(a) or when the self-implementing procedures are not applicable.

Under both PCB cleanup options, a Notification and Certification must be submitted to USEPA in accordance with subsection 761.61(a)(3) of the PCB Regulations and this notification involves characterizing the site adequately. The certification required in subsection 761.61(a)(3) should include all of the information specified by that provision and a certification meeting all the requirements of sections 761.3 (defining certification) and 761.61(a)(3)(i)(E) of the PCB Regulations. For cleanups where the self-implementing procedure is allowable and the option being pursued, USEPA will respond in writing (approving of the self-implementing cleanup, disapproving of the self-implementing cleanup, or requiring additional information) within 30 calendar days. USEPA has no mandated time frame to approve a risk-based application for a PCB cleanup. Cleanup and verification of a cleanup conducted under the PCB self-implementing cleanup option must be conducted in accordance with all the applicable requirements in 761.61(a), including 761.61(a)(6).

PCB contaminated soils at the site that will be disposed offsite are PCB bulk remediation waste. Disposal of these soils should be based on as found (in situ) PCB concentrations, not on the concentration of the soil after it has been excavated and placed in a pile.

Other PCB remediation wastes expected to be generated as part of the cleanup include concrete surfaces at the site contaminated with PCBs, personal protective equipment, cleanup wastes, and liquids. Disposal requirements for these wastes are in 40 CFR 761.61(a)(5). In addition, decontamination of sampling and equipment and disposal of decontamination residues should be conducted in accordance with 40 CFR 761.79 (c), (d), (e), (f), and (g).

The CAP contains a good portion of the information required in the Notification and Certification which must be submitted to USEPA for either the self-implementing or risk based PCB cleanup options, but USEPA needs more detailed information. See below.

The extent of PCB contamination has to be clearly discussed as well as any information concerning PCB sources at the site. The extent of contamination is not clear to USEPA so the site investigation uncertainties mentioned earlier in this message should be addressed in the cleanup plan. The cleanup plan should present PCB analysis data as total PCBs and speciated Aroclors (e.g., Aroclor 1242, Aroclor 1260).

Recommendations

We recommend the following:

- The characterization of the Aspire site still contains data gaps and uncertainties. Some of these uncertainties were described earlier in this message. As required by 40 CFR 761.61(a)(2), characterize the Aspire site in more detail to provide USEPA with adequate information concerning the nature of the contamination, including: (a) kinds of materials contaminated; (b) a summary of the procedures used to sample contaminated and adjacent areas and a table or cleanup site map showing PCB concentrations measured in all pre-cleanup characterization samples. The summary must include sample collection and analysis dates. USEPA will require more detailed information including additional characterization sampling - see below. (c) The location and extent of the identified contaminated area, including topographic maps with sample collection sites cross referenced to the sample identification numbers in the data summary. (d) A cleanup plan for the site, including schedule, disposal technology, and approach. This plan should contain options and contingencies to be used if unanticipated higher concentrations or wider distributions of PCB remediation waste are found or other obstacles force changes in the cleanup approach.

- Utilize Subpart N of the PCB Regulations, which sets out a method for collecting new site characterization data, for assessing the sufficiency of existing site characterization data.

- Utilize Subpart O to verify that cleanup levels have been met after characterization and cleanup have been conducted.

- Utilizing appropriate procedures as specified in the PCB Regulations, collect additional soil data at the Aspire site to determine if PCBs are present in other areas (e.g., steam cleaning sump) of the site. Additional soil samples should be collected in areas where PCBs may be a co-contaminant and in areas where PCB samples were not collected and TPH is or may be present and enhancing the solubility of PCBs in soils.

- Provide adequate information to characterize whether the PCBs at the Aspire site have migrated to groundwater (such as ground water samples).

- The July 9, 2009 revised CAP includes the ACDEH PCB cleanup level of 0.39 ppm for soils. The self implementing PCB cleanup regulations in 40 CFR 761.61(a)(4) requires a PCB cleanup level for high occupancy areas equal to or below 1 ppm without further restrictions, but USEPA has the authority to impose more stringent requirements if needed due to considerations such as proximity to a school. In some circumstances a cleanup goal lower than the level set by ACDEH might be appropriate. EPA has not yet made a determination regarding the appropriate cleanup level in this instance. If made available to USEPA, we will review the calculations and basis used in developing the 0.39 ppm PCB cleanup goal in the CAP. Whatever cleanup goal is ultimately adopted as the cleanup level for the TSCA cleanup, the owner of the property would be required to meet the cleanup level adopted for the TSCA cleanup.

- PCB bulk product waste: We believe that PCB bulk product waste will be generated during demolition of the structures at the site. Although a specific approval from USEPA is not necessary for removal and disposal of PCB bulk product waste, we recommend that the LFR / Arcadis PCB cleanup plan also include a section on removal and disposal of PCB bulk product waste. Given the age of the structures, we recommend a survey be done on these structure to determine PCB products that may be involved. For example the metal walls of the buildings may be made of metal siding that may be coated with a PCB coating like Galbestos. If manufactured with this coating the metal walls of the building would be a PCB bulk product waste.

I hope the above information is useful in preparing a PCB cleanup plan that meets TSCA requirements. Please call me if you have any questions concerning this message.

Sincerely,

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